

Summary - An ordinance authorizing the issuance by the City of Las Vegas of its General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002B, and providing other matters relating thereto.

**BILL NO. 2002-111  
ORDINANCE NO. 5531**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2002B; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND PROVIDING FOR THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE CITY'S SEWER SYSTEM; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.**

**WHEREAS**, the City of Las Vegas in the County of Clark and State of Nevada (the "City," the "County" and the "State," respectively) is a political subdivision of the State duly organized and operating as a city under the provisions of Nevada Revised Statutes ("NRS") chapter 268 and an act entitled "AN ACT incorporating the City of Las Vegas in Clark County, Nevada, under a charter; defining the boundaries thereof; and providing other matters properly relating thereto," cited as chapter 517, Statutes of Nevada, 1983, as amended (the "Charter"); and

**WHEREAS**, the City now owns and operates a municipal sanitary sewer system (the "Sewer System"); and

**WHEREAS**, pursuant to the Charter, pursuant to NRS §§ 268.672 through 268.740, inclusive (the "City Bond Law"), and pursuant to chapter 350 of NRS and all laws amendatory thereof which includes the Local Government Securities Laws, being §§ 350.500 through 350.720, NRS, and all laws amendatory thereof (the "Bond Act"), the City is authorized to borrow money and to issue general obligation bonds of the City for the purpose of defraying wholly or in part the cost of constructing, reconstructing, improving and extending the City's Sewer System; and

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**WHEREAS**, pursuant to the Project Act and the Bond Act, the City issued its "City of Las Vegas, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series August 1, 1993B" in the aggregate principal amount of \$31,305,000 (the "1993 Bonds"); and

**WHEREAS**, interest rates have declined since the issuance of the 1993 Bonds; and

**WHEREAS**, NRS 350.684 provides that the City may issue refunding bonds to refund, pay and discharge all or any part of the outstanding bonds of any one or more issues for the purpose of reducing interest costs or effecting other economies; and

**WHEREAS**, if it is determined by the City's Director of Finance and Business Services (the "Finance Director"), the City's chief financial officer, that the City will achieve interest rate savings, the Finance Director is hereby authorized to specify in the Certificate of the Finance Director (defined below) which maturities of the 1993 Bonds, if any, will be refunded (the "Refunded Bonds"); and

**WHEREAS**, if after receiving bids for the purchase of the City's General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002B (the "Bonds" or "2002 Bonds") herein authorized to be issued for the purpose of refunding, paying and discharging the Refunded Bonds (the "Refunding Project"; or the "Project"), it is determined that interest rate savings will be effected, the Finance Director is authorized to accept a binding bid for the Bonds from the best bidder therefor (the "Purchaser"); the Bonds to bear interest at the rates per annum provided in the bond purchase proposal submitted by the Purchaser (the "Bond Purchase Proposal") and accepted by the Finance Director, at a purchase price equal to the principal amount thereof, plus accrued interest to the date of delivery of the Bonds, less a discount or plus a premium not to exceed 9 percent of the principal amount of the Bonds, all as specified by the Finance Director in a certificate dated on or before the date of delivery of the Bonds (the "Certificate of the Finance Director"), which purchase price does not result in an effective interest rate on the Bonds in excess of 3% over the index of Twenty Bonds most recently published in The Bond Buyer prior to the time bids were received for the Bonds; and

**WHEREAS**, there have been filed with the City Clerk:

(i) the form of an escrow agreement (the "Escrow Agreement") between the City and BNY Western Trust Company (the "Escrow Bank"); and

(ii) the form of the Official Statement (the "Official Statement") for the Bonds; and

**WHEREAS**, the Council hereby elects to have the provisions of Chapter 348 of NRS (the "Supplemental Bond Act") apply to the Bonds; and

**WHEREAS**, the Council has determined and hereby declares:

A. It is necessary and for the best interests of the City to effect the Project and to issue the Bonds;

B. Each of the limitations and other conditions to the issuance of the Bonds in the Charter, the City Bond Law, the Bond Act, the Supplemental Bond Act, and in any other relevant act of the State or the Federal Government, has been met; and pursuant to § 350.708, Bond Act, this determination of the Council that the limitations in the Bond Act have been met shall be conclusive in the absence of fraud or arbitrary or gross abuse of discretion; and

C. This Ordinance pertains to the sale, issuance and payment of the Bonds.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN:**

SECTION 1. Short Title. This Ordinance shall be known and may be cited as the "2002 Sewer Refunding Bond Ordinance."

SECTION 2. Definitions. The terms in this section and in the preambles hereof defined for all purposes of this Ordinance and of any instrument amendatory hereof or supplemental hereto, and of any other instrument or any other document relating hereto, except where the context by clear implication otherwise requires, shall have the meanings in this section and in said preambles specified:

"Bond Requirements" means the principal of, interest on and any prior redemption premiums due in connection with the Bonds.

"Bond Year" means the 12 month period commencing on January 2 of a calendar year and ending on January 1 of the following calendar year.

"Commercial Bank" means a state or national bank or trust company which is a member of the Federal Deposit Insurance Corporation, including without limitation "trust bank" as herein defined.

"Federal Government" means the United States, or any agency, instrumentality or corporation thereof.

"Federal Securities" means bills, certificates of indebtedness, notes, bonds or similar securities which are direct obligations of, or the principal and interest of which securities are unconditionally guaranteed by, the United States.

"General Taxes" means general (ad valorem) taxes levied by the City against all taxable property within the boundaries of the City (unless otherwise qualified).

"Gross Revenues" means all income and revenues derived directly or indirectly by the City from the operation and use and otherwise pertaining to the Sewer System or any part thereof, whether resulting from repairs, enlargements, extensions, betterments or other improvements to the Sewer System, or otherwise, and includes all revenues received by the City from the Sewer System, including, without limitation, all fees, rates, and other charges for the use of the Sewer System, or for any service rendered by the City in the operations thereof, directly or indirectly, the availability of any such service or the sale or other disposal of any commodity derived therefrom, but excluding any moneys borrowed and used for the acquisition of capital improvements and any moneys received as grants, appropriations or gifts from the United States, the State or other sources, the use of which is limited by the grantor or donor to the construction of capital improvements for the Sewer System, except to the extent any such moneys shall be received as payments for the use of the Sewer System, services rendered thereby, the availability of any such service or the disposal of any such commodities. "Gross Revenues" shall also include all income or other gain from the investment of such income and revenues and of the proceeds of securities payable from Gross Revenues or Net Revenues. "Gross Revenues" shall not include revenues derived by the city from special assessments, or the levy thereof, against any tract of land specially benefitted by any sanitary sewer project, to defray wholly or in part the cost of the sanitary sewer project.

"Net Revenues" means the Gross Revenues remaining after the deduction of Operation and Maintenance Expenses.

"Operation and Maintenance Expenses" means all reasonable and necessary current expenses of the City, paid or accrued, of operating, maintaining and repairing the Sewer System, including, without limitation:

(a) engineering, auditing, reporting, legal and other overhead expenses relating to the administration, operation and maintenance of the Sewer System;

(b) fidelity bond and property and liability insurance premiums pertaining to the Sewer System or a reasonably allocable share of a premium of any blanket bond or policy pertaining to the Sewer System;

(c) payments to pension, retirement, health and hospitalization funds, and other insurance and to any self-insurance fund as insurance premiums not in excess of such premiums which would otherwise be required for such insurance;

(d) any general taxes, assessments, excise taxes or other charges which may be lawfully imposed upon the City, the Sewer System, revenues therefrom or the City's income from or operations of any properties under its control and pertaining to the Sewer System, or any privilege in connection with the Sewer System or its operations;

(e) the reasonable charges of any Paying Agent or Registrar and any other depository bank pertaining to the Bonds or any other securities payable from Gross Revenues or otherwise pertaining to the Sewer System;

(f) contractual services, professional services, salaries, other administrative expenses and costs of materials, supplies, repairs and labor pertaining to the Sewer System or to the issuance of the Bonds as herein defined, or any other securities relating to the Sewer System, including, without limitation, the expenses and compensation of any receiver or other fiduciary under the Bond Act;

(g) the costs incurred by the City Council in the collection and any refunds of all or any part of Gross Revenues;

(h) any costs of utility services furnished to the Sewer System;

- (i) any lawful refunds of any Gross Revenues; and
- (j) all other administrative, general and commercial expenses pertaining to the Sewer System including, without limitation, any payments of arbitrage rebate to the United States required by Section 148 of the Tax Code;

but excluding:

- (i) any allowance for depreciation;
- (ii) any costs of extensions, enlargements, betterments and other improvements, or any combination thereof;
- (iii) any reserves for major capital replacements, other than normal repairs;
- (iv) any reserves for operation, maintenance or repair of the Sewer System;
- (v) any allowance for the redemption of any Bond or other security or the payment of any interest thereon or any prior redemption premium due in connection therewith;
- (vi) any liabilities incurred in the acquisition or improvement of any properties comprising any project or any existing facilities, or any combination thereof, pertaining to the Sewer System, or otherwise; and
- (vii) any liabilities imposed on the City for any legal liability not based on contract, including, without limitation, negligence in the operation of the Sewer System.

"Outstanding" when used with reference to the Bonds or any other designated securities payable from Net Revenues and as of any particular date means all of the Bonds in any manner theretofore and thereupon being executed and delivered:

- (a) Except any bond or other security canceled by the City, the Registrar, Paying Agent, or otherwise on the City's behalf, at or before such date;
- (b) Except any bond or other security for the payment or the redemption of which moneys at least equal to its Bond Requirements to the date of maturity or

to any applicable Redemption Date shall have heretofore been deposited with a trust bank in escrow or in trust for that purpose, as provided in Section 55 hereof; and

(c) Except any bond or other security in lieu of or in substitution for which another Bond or other security shall have been executed and delivered.

"Parity Securities" means securities of the City pertaining to the Sewer System and payable from and secured by Net Revenues on a parity with the Bonds, to the extent issued in accordance with the terms, conditions and limitations hereof.

"Paying Agent" means the Treasurer of the City or any successor thereto as paying agent for the Bonds appointed by the City Council.

"Person" means a corporation, firm, other body corporate (including, without limitation, the Federal Government, the State or any other body corporate and politic other than the City), partnership, association or individual, and also includes an executor, administrator, trustee, receiver or other representative appointed according to law.

"Redemption Date" means a date fixed for the redemption prior to their respective maturities of any Bonds or other designated securities payable from any Net Revenues in any notice of prior redemption or otherwise fixed and designated by the City.

"Redemption Price" means, when used with respect to a Bond or other designated security payable from any Net Revenues, the principal amount thereof plus the applicable premium, if any, payable upon the redemption thereof prior to the stated maturity date of such Bond or other security on a Redemption Date in the manner contemplated in accordance with the security's terms.

"Registrar" means the Treasurer of the City or any successor thereto as registrar for the Bonds appointed by the City Council.

"Sewer System" means the sanitary sewer system of the City, consisting of all properties, real, personal, mixed or otherwise, now owned or hereafter acquired by the City through purchase, construction or otherwise, and used in connection with such system of the City, and in any way pertaining thereto, whether or not located within or without or both within and without the boundaries of the City, for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial waste, including, without limitation, sewage improvements, sewage purification, treatment and disposal works, appurtenant

machinery, apparatus, structures, buildings and related or appurtenant furniture, fixtures and other equipment, as such system is from time to time extended, bettered or otherwise improved, or any combination thereof.

"Subordinate Securities" means securities of the City pertaining to the Sewer System and payable from and secured by Net Revenues subordinate and junior to the pledge thereof to the Bonds, to the extent issued in accordance with the terms, conditions and limitations hereof.

"Tax Code" means the Internal Revenue Code of 1986, as amended to the date of delivery of the Bonds, and the applicable regulations and rulings thereunder.

Other capitalized terms used herein shall have the meanings given to such terms in the text hereof, except where the context by clear implication otherwise requires.

SECTION 3. Ratification. All action heretofore taken by the Council and the officers of the City directed toward the Project and toward the issuance, sale and delivery of the Bonds, not inconsistent with the terms and conditions herewith, is hereby ratified, approved and confirmed.

SECTION 4. Estimated Life of Facilities. The Council, on behalf of the City, has determined and does hereby declare:

A. The estimated life or estimated period of usefulness of the improvements acquired with the proceeds of the Bonds is not less than 10 years from the date of their issuance; and

B. The Bonds shall mature at such time or times not exceeding such estimated life or estimated period of usefulness.

SECTION 5. Necessity of Project and Bonds. It is necessary and in the best interests of the Council, its officers, and the inhabitants of the City, that the City effect the Project and defray wholly or in part the cost thereof by the issuance of the Bonds therefor; and it is hereby so determined and declared.

SECTION 6. Bid From Financial Advisor; Authorization of Project. Pursuant to NRS 350.810 and MSRB Rule G-23, the Council hereby consents to receiving a bid on the Bonds from Zions Bank, and this consent shall constitute a written agreement required by NRS 350.810. The Council hereby authorizes the Project.

SECTION 7. Ordinance to Constitute Contract. In consideration of the purchase and the acceptance of the Bonds by those who shall own the same from time to time, the provisions hereof shall be deemed to be and shall constitute a contract between the City and the registered owners from time to time of the Bonds.

SECTION 8. Bonds Equally Secured. The covenants and agreements herein set forth to be performed shall be for the equal benefit, protection and security of the owners of any and all of the Outstanding Bonds, all of which, regardless of the time or times of their issue or maturity, shall be of equal rank without preference, priority or distinction except as otherwise expressly provided in or pursuant to this Ordinance.

SECTION 9. General Obligations. All of the Bonds, as to the Bond Requirements, shall constitute general obligations of the City, which hereby pledges its full faith and credit for their payment. So far as possible, Bond Requirements shall be paid from Net Revenues of the Sewer System (the "Pledged Revenues"). However, the Bonds as to all Bond Requirements shall also be payable from general (ad valorem) taxes (the "General Taxes") (except to the extent that other moneys such as Net Revenues are available therefor) as herein provided.

SECTION 10. Limitations upon Security. The payment of the Bonds is not secured by an encumbrance, mortgage or other pledge of property of the City, except for the proceeds of General Taxes and any other moneys pledged for the payment of the Bonds. No property of the City, subject to such exception, shall be liable to be forfeited or taken in payment of the Bonds.

SECTION 11. No Recourse Against Officers and Agents. No recourse shall be had for the payment of the Bond Requirements of the Bonds or for any claim based thereon or otherwise upon this Ordinance authorizing their issuance or any other instrument relating thereto, against any individual member of the Council or any officer or other agent of the Council or City, past, present or future, either directly or indirectly through the Council or the City, or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of the Bonds and as a part of the consideration of its issuance specially waived and released.

SECTION 12. Authorization and Sale of Bonds. For the purpose of providing funds to pay all or a portion of the cost of the Project, the City shall issue its "City of Las Vegas, Nevada,

General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002B", in the aggregate principal amount set forth in the Certificate of the Finance Director (not to exceed the amount necessary to effect the Refunding Project). The Bonds shall be sold to the Purchaser designated in the Certificate of the Finance Director, and the City Finance Director is authorized to execute the Bond Purchase Proposal in accordance with the provisions of NRS 350.105 to 350.185, inclusive, and in accordance with the provisions of this Ordinance.

SECTION 13. Bond Details. The Bonds shall be issued in fully registered form, i.e., registered as to both principal and interest. The Bonds shall be dated initially as of the first day of the month of the date of their delivery, and except as otherwise provided in Section 18 hereof, shall be issued in denominations of \$5,000 or any integral multiple thereof (provided that no Bond may be in a denomination which exceeds the principal coming due on any maturity date, and no individual Bond will be issued with more than one maturity). The Bonds shall be numbered from 1 upward. The Bonds shall bear interest from their date until their respective maturity dates (or, if redeemed prior to maturity as provided below, their redemption dates) at the respective rates set forth in the Certificate of the Finance Director, payable on January 1 and July 1 of each year commencing July 1, 2003; provided that those Bonds which are reissued upon transfer, exchange or other replacement shall bear interest at the rates set forth below from the most recent interest payment date to which interest has been paid or duly provided for, or if no interest has been paid, from the date of the Bonds. The Bonds shall mature on the dates and in the amounts set forth in the Certificate of the Finance Director (not to exceed 10 years from the date of issuance of the Bonds).

The principal of and redemption premium, if any, on any Bond shall be payable to the registered owner thereof as shown on the registration records kept by the Treasurer of the City, in Las Vegas, Nevada, as registrar for the Bonds (the "Registrar"), upon maturity or prior redemption thereof and upon presentation and surrender at the office of the Treasurer of the City, in Las Vegas, Nevada, as paying agent for the Bonds (the "Paying Agent"). If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the interest rate borne by said Bond until the principal thereof is paid in full. Except as otherwise provided in Section 18 hereof, payment of interest on any Bond shall be made to the registered owner thereof

by check or draft mailed by the Paying Agent, on each interest payment date (or, if such interest payment date is not a business day, on the next succeeding business day), to the registered owner thereof, at his or her address as shown on the registration records kept by the Registrar as of the close of business on the 15th day of the calendar month next preceding each interest payment date (other than a special interest payment date hereafter fixed for payment of defaulted interest) (the "Regular Record Date"); but any such interest not so timely paid or duly provided for shall cease to be payable to the owner thereof as shown on the registration records of the Registrar as of the close of business on the Regular Record Date and shall be payable to the owner thereof, at his or her address, as shown on the registration books of the Registrar as of the close of business on a date fixed to determine the names and addresses of owners for the purpose of paying defaulted interest (the "Special Record Date"). Such Special Record Date shall be fixed by the Paying Agent whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the owners of the Bonds not less than ten days prior thereto by first-class mail to each such owner as shown on the Registrar's registration records as of a date selected by the Registrar, stating the date of the Special Record Date and the date fixed for the payment of such defaulted interest. The Paying Agent may make payments of interest on any Bond by such alternative means as may be mutually agreed to between the owner of such Bond and the Paying Agent. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar.

SECTION 14. Prior Redemption; Partial Redemption.

A. Optional Redemption or Prepayment. Bonds, or portions thereof (\$5,000 or any integral multiple), maturing on and after the date specified in the Certificate of the Finance Director, shall be subject to redemption prior to their respective maturities, at the option of the City, at any time on and after the date specified in the Certificate of the Finance Director, in whole or in part from any maturities selected by the City and by lot within a maturity (giving proportionate weight to Bonds in denominations larger than \$5,000), at a price equal to the principal amount of each bond, or portion thereof, so redeemed, accrued interest

thereon to the redemption date, and a premium, if any, as provided in the Certificate of the Finance Director.

B. Mandatory Redemption. The Bonds set forth in the Certificate of the Finance Director, if any (the "Term Bonds"), shall be subject to mandatory sinking fund redemption at a redemption price equal to 100% of the principal amount thereof and accrued interest to the redemption date. As and for a sinking fund for the redemption of the Term Bonds, there shall be deposited into the Principal Account on or before the dates set forth in the Certificate of the Finance Director, a sum which, together with other moneys available in the Principal Account, is sufficient to redeem (after credit is provided below) on the dates and in the principal amounts of the Term Bonds as set forth in the Certificate of the Finance Director plus accrued interest to the redemption date.

Not more than sixty days nor less than thirty days prior to the sinking fund payment dates for the Term Bonds, the Registrar shall proceed to select for redemption (by lot or in such other manner as the Registrar may determine) from all Outstanding Term Bonds, a principal amount of the Term Bonds equal to the aggregate principal amount of the Term Bonds redeemable with the required sinking fund payments, and shall call such Term Bonds or portions thereof for redemption from the sinking fund on the next principal payment date, and give notice of such call as provided in Section 15 of this Ordinance.

At the option of the City to be exercised by delivery of a written certificate to the Registrar not less than sixty days next preceding any sinking fund redemption date, it may (i) deliver to the Registrar for cancellation Term Bonds, or portions thereof (\$5,000 or any integral multiple thereof) in an aggregate principal amount desired by the City or, (ii) specify a principal amount of Term Bonds, or portions thereof (\$5,000 or any integral multiple thereof) which prior to said date have been redeemed (otherwise than through the operation of the sinking fund) and canceled by the Registrar and not theretofore applied as a credit against any sinking fund redemption obligation. Each Term Bond or portions thereof so delivered or

previously redeemed shall be credited by the Registrar at 100% of the principal amount thereof against the obligation of the City on the sinking fund redemption dates and any excess shall be so credited against future sinking fund redemption obligations in such manner as the City determines. In the event the City shall avail itself of the provisions of clause (i) of the first sentence of this paragraph, the certificate required by the first sentence of this paragraph shall be accompanied by the respective Term Bonds or portions thereof to be canceled or in the event the Bonds are registered in the name of Cede & Co. as provided in Section 18 of this Ordinance, the certificate required by the first sentence of this paragraph shall be accompanied by such direction and evidence of ownership as is satisfactory to The Depository Trust Company.

C. Partial Redemption. In the case of Bonds in a denomination larger than \$5,000, a portion of such Bond (\$5,000 or any integral multiple thereof) may be redeemed, in which case the Registrar shall, except as otherwise provided in Section 18 hereof, without charge to the owner of such Bond, authenticate and issue a replacement Bond or Bonds for the unredeemed portion thereof. In the case of a partial redemption of Bonds of a single maturity pursuant to Subsections A or B of this Section, the Paying Agent shall select the Bonds to be redeemed by lot at such time as directed by the City (but at least 30 days prior to the redemption date), and if such selection is more than 60 days before a redemption date, except as otherwise provided in Section 18 hereof, shall direct the Registrar to appropriately identify the Bonds so called for redemption by stamping them at the time any Bond so selected for redemption is presented to the Registrar for stamping or for transfer or exchange, or by such other method of identification as deemed adequate by the Registrar, and any Bond or Bonds issued in exchange for, or to replace, any Bond or Bonds so called for prior redemption shall likewise be stamped or otherwise identified.

SECTION 15. Notice of Redemption. Unless waived by any owner of Bonds to be redeemed for purchase, official notice of any such redemption shall be given by the Registrar, on behalf of the City, by mailing a copy of an official redemption notice by registered or certified mail

so long as Cede & Co. is the registered owner of the Bonds and the Municipal Securities Rulemaking Board ("MSRB") and otherwise by first class mail, postage prepaid, at least 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of the Bond or Bonds to be redeemed at the address shown on the Bond register or at such other address as is furnished in writing by such registered owner to the Registrar. Actual receipt of mailed notice by any owner of Bonds or the MSRB shall not be a condition precedent to redemption of such Bond or Bonds. Failure to give such notice to the MSRB or the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any other Bonds. A certificate by the Registrar that such notice has been given as herein provided shall be conclusive against all parties.

All official notices of redemption shall be dated and shall state:

- (1) the redemption date,
- (2) the purchase prices,
- (3) the identification by maturity (and, in the case of partial redemption of a maturity, other appropriate identification) of the Bonds to be redeemed,
- (4) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and
- (5) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Paying Agent (accrued interest to the redemption date being payable by mail or as otherwise provided in this Ordinance).

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Paying Agent at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption

of any Bond, there shall be prepared for the registered owner a new Bond or Bonds of the same maturity in the amount of the unpaid principal. All Bonds which have been redeemed shall be canceled and destroyed by the Registrar and shall not be reissued.

Notwithstanding the provisions of this section, any notice of redemption may contain a statement that the redemption is conditional upon receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Bonds so called for redemption, and that if such funds are not available, such redemption shall be cancelled by written notice to the owners of the Bonds called for redemption in the same manner as the original redemption notice was mailed.

SECTION 16. Negotiability. The Bonds shall be fully negotiable within the meaning of and for the purpose of the Uniform Commercial Code - Investment Securities and each owner shall possess all rights enjoyed by holders of negotiable instruments under the Uniform Commercial Code - Investment Securities.

SECTION 17. Registration, Transfer and Exchange of Bonds. Except as otherwise provided in Section 18 hereof:

A. Records for the registration and transfer of the Bonds shall be kept by the Registrar. Upon the surrender of any Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment in form satisfactory to the Registrar duly executed by the owner or his or her attorney duly authorized in writing, the Registrar shall authenticate and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. Bonds may be exchanged at the Registrar for an equal aggregate principal amount of Bonds of the same maturity of other authorized denominations, as provided in Section 13 hereof. The Registrar shall authenticate and deliver a Bond or Bonds which the owner making the exchange is entitled to receive, bearing a number or numbers not previously assigned. For every exchange or transfer of Bonds requested by the owner thereof, the Registrar may make a sufficient charge to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer

and may charge a sum sufficient to pay the cost of preparing and authenticating a new Bond. No such charge shall be levied in the case of an exchange resulting from an optional prior redemption of a bond.

B. The Registrar shall not be required to transfer or exchange (i) any Bond subject to redemption during a period beginning at the opening of business fifteen (15) days before the date of mailing by the Registrar of a notice of prior redemption of Bonds and ending at the close of business on the date of such mailing, or (ii) any Bond, or any portion thereof, after the mailing of such notice as herein provided.

C. The person in whose name any Bond shall be registered, on the registration records kept by the Registrar, shall be deemed and regarded as the absolute owner thereof for the purpose of payment and for all other purposes (except to the extent otherwise provided in Section 13 hereof with respect to interest payments); and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the owner thereof or his or her legal representative. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

D. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence, information or indemnity relating thereto as it or the City may reasonably require, and upon payment of all expenses in connection therewith, authenticate and deliver a replacement Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. If such lost, stolen, destroyed or mutilated Bond shall have matured or shall have been called for redemption, the Registrar may direct that such Bond be paid by the Paying Agent in lieu of replacement.

E. Whenever any Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for transfer, exchange or replacement as provided herein, such Bond shall be promptly canceled by the Paying Agent or

Registrar, and counterparts of a certificate of such cancellation shall be furnished by the Paying Agent or Registrar to the Council, upon request.

SECTION 18. Custodial Deposit.

A. Notwithstanding the foregoing provisions of Sections 13 to 17 hereof, the Bonds shall initially be evidenced by one Bond for each year in which the Bonds mature in denominations equal to the aggregate principal amount of the Bonds maturing in that year or, in the case of the Bonds subject to mandatory sinking fund redemption, the Bonds shall initially be evidenced by one Bond for each term in denominations equal to the aggregate principal amount of the Bonds maturing in that term. Such initially delivered Bonds shall be registered in the name of "Cede & Co." as nominee for The Depository Trust Company, the securities depository for the Bonds. The Bonds may not thereafter be transferred or exchanged except:

(1) to any successor of The Depository Trust Company or its nominee, which successor must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102, and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended; or

(2) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or this clause (2) of this Subsection A, or a determination by the City that The Depository Trust Company or such successor or new depository is no longer able to carry out its functions, and the designation by the City of another depository institution acceptable to the depository then holding the Bonds, which new depository institution must be both a "clearing corporation" as defined in subsection 3 of NRS § 104.8102 and a qualified and registered "clearing agency" under Section 17A of the Securities Exchange Act of 1934, as amended, to carry out the functions of The Depository Trust Company or such successor or new depository;

(3) upon the resignation of The Depository Trust Company or a successor or new depository under clause (1) or clause (2) of this Subsection A, or a determination by the City that The Depository Trust Company or such successor

or new depository is no longer able to carry out its functions, and the failure by the City, after reasonable investigation, to locate another qualified depository institution under clause (2) to carry out such depository functions.

B. In the case of a transfer to a successor of The Depository Trust Company or its nominee as referred to in clause (1) of Subsection A hereof or designation of a new depository pursuant to clause (2) of Subsection A hereof, upon receipt of the Outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, a new Bond for each maturity or, in the case of the Bonds subject to mandatory sinking fund redemption, for each term of the Bonds then Outstanding shall be issued to such successor or new depository, as the case may be, or its nominee, as is specified in such written transfer instructions. In the case of a resignation or determination under clause (3) of Subsection A hereof and the failure after reasonable investigation to locate another qualified depository institution for the Bonds as provided in clause (3) of Subsection A hereof, and upon receipt of the Outstanding Bonds by the Registrar, together with written instructions for transfer satisfactory to the Registrar, new Bonds shall be issued in the denominations of \$5,000 or any integral multiple thereof, as provided in and subject to the limitations of Section 13 hereof, registered in the names of such persons, and in such denominations as are requested in such written transfer instructions; however, the Registrar shall not be required to deliver such new Bonds within a period of less than 60 days from the date of receipt of such written transfer instructions.

C. The City, the Registrar and the Paying Agent shall be entitled to treat the registered owner of any Bond as the absolute owner thereof for all purposes hereof and any applicable laws, notwithstanding any notice to the contrary received by any or all of them and the City, the Registrar and the Paying Agent shall have no responsibility for transmitting payments or notices to the beneficial owners of the Bonds held by The Depository Trust Company or any successor or new depository named pursuant to Subsection A hereof.

D. The City, the Registrar and the Paying Agent shall endeavor to cooperate with The Depository Trust Company or any successor or new depository named pursuant to clause (1) or (2) of Subsection A hereof in effectuating payment of the Bond Requirements of the Bonds by arranging for payment in such a manner that funds representing such payments are available to the depository on the date they are due.

E. Upon any partial redemption of any maturity of the Bonds, Cede & Co. (or its successor) in its discretion may request the City to issue and authenticate a new Bond or shall make an appropriate notation on the Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case the Bond must be presented to the Paying Agent prior to payment.

SECTION 19. Execution and Authentication.

A. Prior to the execution of any Bonds by facsimile signature and pursuant to § 350.638, Bond Act, to the act known as the Uniform Facsimile Signatures of Public Officials Act, cited as Chapter 351, NRS, and to the Supplemental Bond Act, the Mayor of the City (the "Mayor"), the City Treasurer (the "Treasurer") and the City Clerk (the "Clerk") shall each file with the Secretary of State of Nevada his or her manual signature certified by him or her under oath.

B. The Bonds shall be approved, signed and executed in the name of and on behalf of the City with the manual or facsimile signature of the Mayor, shall be countersigned and executed with the manual or facsimile signature of the Treasurer, and shall bear a manual impression or a facsimile of an impression of the official seal of the City attested with the manual or facsimile signature of the Clerk.

C. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication thereon, substantially in the form hereinafter provided, has been duly manually executed by the Registrar. By authenticating any of the Bonds initially delivered pursuant to this Ordinance, the Registrar shall be deemed to have assented to all of the provisions of this Ordinance.

D. The Mayor, the Treasurer and the Clerk are hereby authorized and directed to prepare and to execute the Bonds as herein provided.

SECTION 20. Incontestable Recital. Pursuant to § 350.628 of the Bond Act, the Bonds shall contain a recital that they are issued pursuant to the Bond Act, which recital shall be conclusive evidence of the validity of the Bonds and the regularity of their issuance.

SECTION 21. State Tax Exemption. Pursuant to § 350.710, Bond Act, the Bonds, their transfer and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof except for the tax on estates imposed pursuant to chapter 375A of NRS and the tax on generation skipping transfers imposed pursuant to chapter 375B of NRS.

SECTION 22. Bond Form. Subject to the provisions of this Ordinance, the Bonds shall be in substantially the following form, with such omissions, insertions, endorsements, and variations as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

TRANSFER OF THIS BOND OTHER THAN BY REGISTRATION IS NOT EFFECTIVE

CITY OF LAS VEGAS, NEVADA  
GENERAL OBLIGATION (LIMITED TAX) SEWER REFUNDING Bonds  
(ADDITIONALLY SECURED BY PLEDGED REVENUES)  
SERIES 2002B

No. \_\_\_\_\_ \$ \_\_\_\_\_

Interest Rate                      Maturity Date                      Dated As of                      CUSIP  
\_\_\_\_ % per annum                      \_\_\_\_\_ 1, \_\_\_\_                      \_\_\_\_\_ 1, 2002

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ DOLLARS

The City of Las Vegas, Nevada, in Clark County, in the State of Nevada (the "City", "County", and the "State", respectively) for value received, hereby acknowledges itself to be indebted and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above, on the maturity date specified above (unless called for earlier redemption), and to pay interest thereon on January 1 and July 1 of each year, commencing on July 1, 2003, at the interest rate per annum specified above, until the principal sum is paid or payment has been provided for or, if such payment date is not a business day, on the next succeeding business day. This bond shall bear interest from the most recent interest payment date to which interest has been paid or, if no interest has been paid, from the date of the initial delivery of the series of bonds of which this bond is one (the "Bond"). The principal of and redemption premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of the City's paying agent for the Bonds or any successor (the "Paying Agent"), presently the Treasurer of the City, in Las Vegas, Nevada, who is also now acting as the City's Registrar for the Bonds (the "Registrar"). Interest on this Bond will be paid on each interest payment date (or, if such date is not a business day, on the next succeeding business day) by check or draft mailed to the person in whose name this Bond or any predecessor bond is registered (the "registered owner") in the registration records of the City maintained by the Registrar, at the address appearing thereon, as of the close of business on the 15th day of the calendar month next preceding such interest payment date (the "Regular Record Date"). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner as of the close of business on the Regular Record Date and shall be payable to the person who is the registered owner as of the close of business on a special record date for the payment of any defaulted interest (the "Special Record Date"). Such Special Record

Date shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owner not less than ten (10) days prior thereto. Alternative means of payment of interest may be used if mutually agreed to by the registered owner and the Paying Agent, as provided in the Ordinance of the City Council of the City (the "Council") authorizing the issuance of the Bonds and designated in Section 1 thereof as the "2002 Sewer Refunding Bond Ordinance" (the "Ordinance"), duly adopted by the Council on October 16, 2002. All such payments shall be made in lawful money of the United States of America without deduction for any service charges of the Paying Agent or Registrar. If this Bond is not paid upon presentation at its maturity, interest at the rate specified above shall continue to be borne hereby until the principal hereof is discharged as provided in the Ordinance.

This Bond is one of a series of Bonds issued by the City upon its behalf and upon the credit thereof, for the purpose of defraying wholly or in part the cost of refinancing certain outstanding bonds which were issued for the purpose of constructing, reconstructing, improving and extending the City's sanitary sewer system (the "Refunding Project"), under the authority of and in full compliance with the Constitution and laws of the State, and pursuant to the Ordinance.

This Bond is issued pursuant to Chapter 517, Statutes of Nevada, 1983, as amended (the "Charter"); pursuant to Nevada Revised Statutes ("NRS") §§ 350.500 through 350.720, and all laws amendatory thereof designated in § 350.500 thereof as the Local Government Securities Law (the "Bond Act"); pursuant to NRS § 350.105 to 350.195, inclusive; pursuant to NRS chapter 348 (the "Supplemental Bond Law"); and pursuant to NRS §§ 268.672 through 268.740, inclusive (the "City Bond Law"); pursuant to § 350.628 of the Bond Act, this recital is conclusive evidence of the validity of the Bonds and the regularity of their issuance; and pursuant to § 350.710 of the Bond Act, the Bonds, their transfer, and the income therefrom shall forever be and remain free and exempt from taxation by the State or any subdivision thereof except for the tax on estates imposed pursuant to chapter 375A of NRS and the tax on generation skipping transfers imposed pursuant to chapter 375B of NRS.

[The Bonds, or portions thereof, maturing on and after the date set forth in the Certificate of the Finance Director are subject to redemption prior to their respective maturities, at the option of the City, on and after the date set forth in the Certificate of the Finance Director, in whole or in part at any time from any maturity or maturities selected by the Council and by lot within a maturity (giving proportionate weight to Bonds in denominations larger than \$5,000), at a price equal to the principal amount of each Bond, or portion thereof, so redeemed, and accrued interest thereon to the redemption date.]

Redemption shall be made upon not less than 30 days' prior mailed notice in the manner and upon the conditions provided in the Ordinance. If this Bond is called for redemption and payment is duly provided for as specified in the Ordinance, interest shall cease to accrue hereon from and after the date fixed for redemption.

\*Certain of the Bonds shall be subject to mandatory sinking fund redemption.\*

It is hereby certified, recited and warranted that all the requirements of law have been fully complied with by the proper officers of the City in the issuance of this Bond; that the total indebtedness of the City, including that of this Bond does not exceed any limit of indebtedness prescribed by the Constitution or by the laws of the State or the Charter of the City; that provision has been made for the levy and collection of annual general (ad valorem) taxes ("General Taxes") against all the taxable property within the City sufficient to pay the principal of, interest on, and any prior redemption premiums due on this Bond (the "Bond Requirements") when the same become due (except to the extent other revenues are available therefor), subject to the limitations imposed by the Constitution and by the statutes of the State; and that the full faith and credit of the City are hereby irrevocably pledged to the punctual payment of Bond Requirements of this Bond according to its terms.

Payment of the principal of and interest on the Bonds are additionally secured by a pledge of the net revenues (herein called the "Net Revenues") derived by the City from the operation and use of, and otherwise pertaining to, the sanitary sewer system of the City, consisting of all properties, real, personal, mixed or otherwise, now owned or hereafter acquired by the City, through purchase, construction or otherwise, and in any way pertaining thereto, whether or not located within or without or both within and without the boundaries of the City, for the collection, interception, transportation, treatment, purification and disposal of sewage, liquid wastes, solid wastes, night soil and industrial wastes, including, without limitation, sewerage improvements, sewage purification, treatment and disposal works, and appurtenant machinery, apparatus, structures, and buildings, and related or appurtenant furniture, fixtures and other equipment or any combination thereof (herein called the "Sewer System"), whether resulting from extensions, enlargements, repairs, betterments or other improvements to the Sewer System, or otherwise, but excluding (1) moneys raised for capital improvements, and (2) grants, appropriations or gifts for limited uses, and after provision is made for the payment of all necessary and reasonable operation and maintenance expenses of the Sewer System, which Net Revenues are so pledged as more specifically provided in the Ordinance.

The Bonds are equally and ratably secured by such pledge of the Net Revenues, and such pledge constitutes an irrevocable lien (but not necessarily an exclusively first lien) upon the Net Revenues. Additional securities may be issued and made payable from the Net Revenues of the Sewer System and having a lien thereon subordinate to or on a parity with such pledge, in each case subject to the conditions of and in accordance with the Ordinance.

Reference is made to the Ordinance and to the Bond Act, for an additional description of the nature and extent of the security for the Bonds, the accounts, funds, or revenues pledged, the nature and extent and manner of enforcement of the pledge, the rights and remedies of the registered owners of the Bonds with respect thereto, the terms and conditions upon which the Bonds are issued, and a statement of rights, duties, immunities, and obligations of the City, and other rights and remedies of the owners of the Bonds.

To the extent and in the respects permitted by the Ordinance, the provisions of the Ordinance may be amended or otherwise modified by action of the City taken in the manner and

subject to the conditions and exceptions prescribed in the Ordinance. The pledge of Net Revenues under the Ordinance may be discharged at or prior to the respective maturities or prior redemption of the Bonds upon the making of provision for the payment thereof on the terms and conditions set forth in the Ordinance.

This Bond shall not be entitled to any benefit under the Ordinance, or be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication hereon.

The City and the Registrar and Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of payment and for all other purposes, except to the extent otherwise provided hereinabove and in the Ordinance with respect to Regular and Special Record Dates for the payment of interest.

The Bonds shall not be transferable or exchangeable except as set forth in the Ordinance. Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the City or its agent for registration of transfer, exchange, or payment, and any bond issued is registered in the name of Cede & Co., (or in such other name as is requested by an authorized representative of DTC) ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL, inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Upon any partial prior redemption of the Bond, Cede & Co., in its discretion may request the Registrar to authenticate a new Bond or shall make an appropriate notation on this Bond indicating the date and amount of prepayment, except in the case of final maturity, in which case this Bond must be presented to the Paying Agent prior to prepayment.

No transfer of this Bond shall be valid unless made on the registration records maintained at the principal office of the Registrar by the registered owner or his or her attorney duly authorized in writing.

No recourse shall be had for the payment of the Bond Requirements of this Bond or for any claim based thereon or otherwise in respect to the Ordinance or other instrument pertaining thereto against any individual member of the Council, or any officer or other agent of the City, past, present, or future, either directly or indirectly through the Council or otherwise, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any penalty or otherwise, all such liability, if any, being by the acceptance of this Bond and as a part of the consideration of its issuance specially waived and released.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, in the County of Clark and State of Nevada has caused this Bond to be executed in the name and on behalf of the City with the manual or facsimile signature of the Mayor, to be attested, signed and executed with a manual or facsimile signature of the City Clerk, has caused a manual or facsimile impression



(Form of Registrar's Certificate of Authentication for Bonds)

Date of authentication  
and registration \_\_\_\_\_

This is one of the Bonds described in the within-mentioned Ordinance, and this Bond has been duly registered on the registration records kept by the undersigned as Registrar for such Bonds.

CITY OF LAS VEGAS, NEVADA  
CITY TREASURER,  
as Registrar

By Manual Signature  
Authorized Officer  
or Employee

(End of Form of Registrar's Certificate of Authentication for Bonds)

(Form of Prepayment Panel)

The following installments of principal (or portions thereof) of this Bond have been prepaid by the City of Las Vegas, Nevada, in accordance with the terms of the Ordinance authorizing the issuance of this Bond.

<u>Date of Prepayment</u>	<u>Principal Amount Prepaid</u>	<u>Signature of Authorized Representative of DTC</u>

(End of Form of Prepayment Panel)

(Form of Assignment for Bonds)

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney, to transfer the same on the records kept for registration of the within Bond, with full power of substitution in the premises.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature Guaranteed:

\_\_\_\_\_  
Bank

Name of Transferee:

\_\_\_\_\_

Address of Transferee:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Social Security or other tax  
identification number of  
Transferee:

\_\_\_\_\_

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

(End of Form of Assignment for Bonds)

SECTION 23. Use of Predecessor's Signature. The Bonds bearing the signatures of the officers in office at the time of the execution of the Bonds shall be valid and binding obligations of the City, notwithstanding that before their delivery any or all of the persons who executed them shall have ceased to fill their respective offices. The Mayor, the City Treasurer, and the City Clerk at the time of the execution of a signature certificate relating to the Bonds, may each adopt as and for his own facsimile signature the facsimile signature of his predecessor in office if such facsimile signature appears upon any of the Bonds.

SECTION 24. Deposit of Proceeds. The City Treasurer shall cause the proceeds of the Bonds to be applied as follows:

A. First, pursuant to § 350.648, Bond Act, the Bond proceeds received from the sale of the Bonds as accrued interest on the Bonds and as any premium, if not needed for the cost of the Project, shall be deposited into the Interest Account, hereinafter created.

B. Second, Bond proceeds, together with other available moneys of the City, in an amount sufficient to establish an initial cash balance and to purchase the Federal Securities (as hereinafter defined) designated in the Escrow Agreement, shall be deposited into a special and separate trust fund held by the Escrow Bank designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds, Series 2002B Escrow Account" (the "Escrow Account") and used as provided herein.

C. Third, the remaining proceeds of the Bonds shall be accounted for by deposit into a special account hereby created in the treasury of the City and designated as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds, Series 2002B Expense Account" (the "Expense Account") and shall be applied solely to defray wholly or in part the costs of issuing the Bonds and establishing the Escrow Account, including any premium for insuring the Bonds, which the Council hereby determines are necessary and desirable and pertain to the Refunding Project. After the payment of such costs, any unexpended moneys remaining in the Expense Account shall be deposited into the Principal Account

hereinafter created for the payment of the principal of the Bonds as the same becomes due. The Purchaser shall in no manner be responsible for the application of the proceeds of the Bonds by the City, or by any of its officers, agents and employees.

SECTION 25. Maintenance and Use of Escrow Account.

A. The Escrow Account shall be maintained by the City in an amount at the time of those initial deposits therein and at all times subsequently at least sufficient, together with the known minimum yield to be derived from the initial investment and any temporary reinvestment of the deposits therein or any part thereof in Federal Securities, to pay the interest due in connection with the Refunded Bonds, both accrued and not accrued, as the same become due up to and including the redemption date for the Refunded Bonds set forth in the Escrow Agreement (the "Refunded Bonds Redemption Date"), and to redeem on the Refunded Bonds Redemption Date all of the Refunded Bonds at a redemption price equal to the principal amount thereof, accrued interest to the redemption date and a premium of 1% of the principal amount so redeemed.

B. Moneys shall be withdrawn by the Escrow Bank from the Escrow Account in sufficient amounts and at such times to permit the payment of the principal and interest requirements of the Refunded Bonds on and before the Refunded Bonds Redemption Date and on the Refunded Bonds Redemption Date, the City shall call for prior redemption of all the Refunded Bonds. Any moneys remaining in the Escrow Account after provision shall have been made for the redemption in full of the Refunded Bonds shall be applied to any lawful purpose of the City as the Council may hereafter determine.

C. If for any reason the amount in the Escrow Account shall at any time be insufficient for the purposes of effecting the Refunding Project, the City shall forthwith from the first moneys available therefor deposit in such account such additional moneys as shall be necessary to permit the payment in full of the principal,

interest and redemption premium due in connection with the Refunded Bonds as herein provided.

SECTION 26. Exercise of Option; Notice of Redemption.

A. The Council has elected and does hereby declare its intent to exercise on the behalf and in the name of the City its option to redeem on the Refunded Bonds Redemption Date all of the Refunded Bonds. The Council is hereby obligated so to exercise such option, which option shall be deemed to have been exercised when notice is duly given and completed forthwith after the issuance of the Bonds as herein provided.

B. The Treasurer, forthwith upon issuance of the Bonds, is authorized and directed to give forthwith upon the issuance of the Bonds a notice of prior redemption and defeasance of all the Refunded Bonds as set forth herein, in accordance with the provisions of the ordinance authorizing the issuance of the Refunded Bonds.

C. The notice of prior redemption and defeasance shall be given by certified mail to the registered owner of each of the Refunded Bonds and to MBIA Insurance Corporation, and by first class mail to the Municipal Securities Rulemaking Board and one or more national information repositories.

SECTION 27. Purchaser Not Responsible. The validity of the Bonds shall not be dependent on nor be affected by the validity or regularity of any proceedings relating to the Project, or any part thereof, or to the completion of the Project. Neither the Purchaser, any associate thereof, nor any subsequent owner of any Bond shall in any manner be responsible for the application or disposal by the City or by any of its officers, agents and employees of the moneys derived from the sale of the Bonds or of any other moneys referred to in this Ordinance.

SECTION 28. General Tax Levies. So far as possible, the Bond Requirements of the Bonds shall be paid from Net Revenues of the Sewer System (herein defined). However, pursuant to § 350.596, Bond Act, the principal and interest falling due on the Bonds at any time when there are not on hand sufficient funds to pay same shall be paid out of a general fund of the City or out of any other funds that may be available for such purpose, including, without limitation, any proceeds

of General Taxes. For the purpose of repaying any moneys so paid from any such fund or funds (other than any moneys available without replacement for the payment of such Bond Requirements on other than a temporary basis), and for the purpose of creating funds for the payment of the Bond Requirements, there are hereby created separate accounts designated respectively as the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002B, Principal Account" (the "Principal Account") and the "City of Las Vegas, Nevada, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002B, Interest Account" (the "Interest Account"; collectively, with the Principal Account, the "Bond Fund"). Pursuant to §§ 350.592 and 350.594, Bond Act, there shall be duly levied immediately after the issuance of the Bonds and annually thereafter, until all of the Bond Requirements shall have been fully paid, satisfied and discharged, a General Tax on all property, both real and personal, subject to taxation within the boundaries of the City, including the net proceeds of mines, fully sufficient to reimburse such fund or funds for any such amounts temporarily advanced to pay such initial installments of principal and interest, and to pay the interest on the Bonds becoming due after such initial installment, and to pay, retire and redeem the Bonds as they thereafter become due at maturity as herein provided, after there are made due allowances for probable delinquencies. The proceeds of such annual levies shall be duly credited to such separate accounts for the payment of such Bond Requirements. In the preparation of the annual budget or appropriation resolution or ordinance for the City, the Council shall first make proper provisions through the levy of sufficient General Taxes for the payment of the interest on and the retirement of the principal of the bonded indebtedness of the City, including, without limitation, the Bonds, subject to the limitation imposed by NRS § 361.453 and Section 2, art. 10, State Constitution, and the amount of money necessary for this purpose shall be a first charge against all the revenues received by the City.

SECTION 29. Priorities for Bonds. As provided in NRS § 361.463, in any year in which the total General Taxes levied against the property in the City by all overlapping units within the boundaries of the City exceeds the limitation imposed by NRS § 361.453, or a lesser or greater amount fixed by the State Board of Examiners in any fiscal year, and it becomes necessary by reason thereof to reduce the levies made by any and all such units, the reductions so made shall be in

General Taxes levied by such unit or units (including, without limitation, the City and the State) for purposes other than the payment of their bonded indebtedness, including interest thereon. The General Taxes levied for the payment of such bonded indebtedness and the interest thereon shall always enjoy a priority over General Taxes levied by each such unit (including, without limitation, the City and the State) for all other purposes where reduction is necessary in order to comply with the limitation of NRS § 361.453.

SECTION 30. Correlation of Levies. Such General Taxes shall be levied and collected in the same manner and at the same time as other taxes are levied and collected, and the proceeds thereof for the Bonds herein authorized shall be kept in the Principal Account and in the Interest Account, which accounts shall be used for no other purpose than the payment of principal and interest, respectively, as the same fall due.

SECTION 31. Use of General Fund. Any sums becoming due on the Bonds at any time when there are on hand from such General Taxes (and any other available moneys) insufficient funds to pay the same shall be promptly paid when due from general funds on hand belonging to the City, reimbursement to be made for such general funds in the amounts so advanced when the General Taxes herein provided for have been collected, pursuant to § 350.596, Bond Act.

SECTION 32. Use of Other Funds. Nothing in this Ordinance prevents the City from applying any funds (other than General Taxes but including Net Revenues as herein defined) that may be available for that purpose to the payment of the Bond Requirements as the same, respectively, fall due, and upon such payments, the levy or levies herein provided may thereupon to that extent be diminished, pursuant to § 350.598, Bond Act.

SECTION 33. Legislative Duties. In accordance with § 350.592, Bond Act, it shall be the duty of the Council annually, at the time and in the manner provided by law for levying other General Taxes of the City, if such action shall be necessary to effectuate the provisions of this Ordinance, to ratify and carry out the provisions hereof with reference to the levy and collection of General Taxes; and the Council shall require the officers of the City to levy, extend and collect such General Taxes in the manner provided by law for the purpose of creating funds for the payment of the principal of the Bonds and the interest thereon. Such General Taxes when collected shall be kept

for and applied only to the payment of the principal of and the interest on the Bonds as hereinbefore specified.

SECTION 34. Appropriation of General Taxes. In accordance with § 350.602, Bond Act, there is hereby specially appropriated the proceeds of such General Taxes to the payment of such principal of and interest on the Bonds; and such appropriations will not be repealed nor the General Taxes postponed or diminished (except as herein otherwise expressly provided) until the Bond Requirements for the Bonds have been wholly paid.

SECTION 35. Pledge of Net Revenues. Subject only to the provisions of this Ordinance permitting the application thereof for or to the purposes and on the terms and conditions set forth herein, there are hereby additionally pledged to secure the payment of principal of and interest on the Bonds in accordance with their terms and the provisions of this Ordinance, all of the Net Revenues (as herein defined) of the Sewer System. This pledge shall be valid and binding from and after the date of the delivery of the Bonds to the Purchaser; and the Net Revenues, as received by the City shall immediately be subject to the lien of this pledge without any physical delivery thereof, any filing or further act; and the lien of this pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City (except as herein otherwise provided) irrespective of whether such parties have notice thereof. The lien of this pledge and the obligation to perform the contractual provisions hereby made shall have priority over any and all other obligations and liabilities of the City payable from the Net Revenues, except as herein otherwise provided.

SECTION 36. Revenue Fund. So long as any of the Bonds shall be Outstanding, the entire Gross Revenues (as herein defined), upon their receipt from time to time by the City, shall be set aside and credited immediately to a separate account heretofore created in the treasury of the City and designated as the "City of Las Vegas Sanitary Sewer System Gross Revenues Fund" (the "Revenue Fund"). So long as any of the Bonds hereby authorized shall be Outstanding, the Revenue Fund shall be administered and the moneys on deposit therein shall be applied in the order of priority specified in Sections 37 through 42.

SECTION 37. Operation and Maintenance Fund. First, from time to time there shall be transferred and credited to a separate account heretofore created in the treasury of the City and

designated as the "City of Las Vegas Sanitary Sewer System Operation and Maintenance Fund" (the "Operation and Maintenance Fund"), moneys sufficient to pay Operation and Maintenance Expenses (as hereinafter defined), as budgeted and approved in accordance with law, as such expenses become due and payable, and thereupon they shall be promptly paid. Any surplus remaining in the Operation and Maintenance Fund at the end of the fiscal year of the City and not needed for Operation and Maintenance Expenses shall be transferred to the Revenue Fund.

SECTION 38. Interest Account. Second, from any moneys thereafter remaining in the Revenue Fund, i.e., from the Net Revenues, there shall be transferred and credited to the Interest Account, the Interest Fund created for payment of the bonds (the "1992 Bonds") authorized by Ordinance No. 3641, the Interest Fund created for the payment of the bonds (the "1993B Bonds") authorized by Ordinance No. 3736, the Interest Fund created for the payment of the bonds (the "January 1997 Bonds") authorized by Ordinance No. 4047 of the City, the Interest Fund created for the payment of the bonds (the "December 1997 Bonds") authorized by Ordinance No. 5027 of the City, the Interest Fund created for the payment of the bonds (the "2001 Bonds") authorized by Ordinance No. 5298, and to any other fund or account established for the payment of interest on any other Parity Securities monthly, commencing the first day of the month immediately succeeding the delivery to the Purchaser of the Bonds, the amount necessary to accumulate by substantially equal monthly installments (together with any other moneys from time to time available therefor from whatever sources) the amount necessary to pay the installment of interest next due on the Bonds and such Parity Securities.

SECTION 39. Principal Account. Third, from any moneys thereafter remaining in the Revenue Fund, there shall be transferred and credited to the Principal Account, the Principal Fund created for payment of the 1992 Bonds, the Principal Fund created for the payment of the 1993B Bonds, the Principal Fund created for the payment of the January 1997 Bonds, the Principal Fund for the payment of the December 1997 Bonds, the Principal Fund for the payment of the 2001 Bonds, and to any other fund or account established for the payment of principal or sinking fund installments on any other Parity Securities monthly, commencing on the first day of the month immediately succeeding the delivery of the Bonds to the Purchaser, the amount necessary to accumulate by substantially equal monthly installments (together with any other moneys from time

to time available therefor from whatever sources) to pay the installment of principal next due on the Bonds and such Parity Securities.

SECTION 40. Rebate Account. Fourth, from any money thereafter remaining in the Revenue Fund, there shall be transferred and credited to the rebate funds created by ordinances authorizing the issuance of the Outstanding Parity Securities the amounts required to be deposited therein, and concurrently with such transfers, there shall be transferred and credited to a special and separate account hereby created and designated as the "City of Las Vegas, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002B, Rebate Account" (the "2002 Rebate Account") and to any other fund or account hereafter established for payment of amounts due the United States under § 148(f) of the Tax Code in connection with any future Parity Securities such amounts as are required to be deposited therein to meet the City's obligations under the covenant contained in § 54 hereof, in accordance with § 148(f) of the Tax Code. Such deposits shall be made at such times as are required by § 148(f) of the Tax Code and such covenant and amounts in the 2002 Rebate Account shall be used for the purpose of making the payments to the United States required by such covenant and § 148(f) of the Tax Code. Any amounts in the 2002 Rebate Account in excess of those required to be on deposit therein may be withdrawn therefrom and deposited into the Revenue Fund.

SECTION 41. Payment of Subordinate Securities. Fifth, any moneys thereafter remaining in the Revenue Fund may be used by the City for the payment of the principal of and interest on Subordinate Securities; and may be used to create reasonable reserves and to pay rebate for such securities.

SECTION 42. Surplus Revenues. Sixth, any moneys thereafter remaining in the Revenue Fund may be used by the City at the end of any fiscal year of the City, or whenever there shall have been credited all amounts required to be deposited in the respective foregoing separate accounts for all of that fiscal year, for any lawful purposes of the City, as the City Council may from time to time determine, including, without limitation, for the creation of operation and maintenance reserves and capital reserves, the payment of capital costs and major maintenance costs of the Sewer System, to pay any other obligations pertaining to the System or otherwise.

SECTION 43. Termination of Deposits. No payment need be made into the Interest Account or Principal Account if the amounts in those funds total a sum at least equal to the entire amount of the Outstanding Bonds as to all Bond Requirements to their respective maturities both accrued and not accrued, in which case moneys in such account in an amount, except for any interest or other gain to accrue from any investment of moneys in Federal Securities (as herein defined) from the time of any such investment to the time or respective times the proceeds of any such investment or deposit shall be needed for such payment, at least equal to such Bond Requirements, shall be used, together with any such gain from such investments, solely to pay such Bond Requirements as the same become due.

SECTION 44. Equal Security. The Bonds and any Parity Securities from time to time Outstanding shall be equally and ratably secured by the pledge of Net Revenues hereunder and shall not be entitled to any priority one over the other in the application of the Net Revenues regardless of the time or times of the issuance of the Bonds and any such Parity Securities.

SECTION 45. Defraying Delinquencies. If at any time the City shall for any reason fail to pay into the Interest Account, the Principal Account, or the 2002 Rebate Account the full amount above stipulated from the Net Revenues, then an amount shall be paid first into the Interest Account and Principal Account and second into the 2002 Rebate Account at such time equal to the difference between that paid from the Net Revenues and the full amount so stipulated. If securities (other than the Bonds) are Outstanding, the payment of which are secured by a lien on the Net Pledged Revenues which lien is on a parity with the lien hereon of the Bonds, and if the proceedings authorizing issuance of those securities require the replacement of moneys in a Interest Account, Principal Account, reserve fund or rebate fund therefor, then the moneys replaced in such funds shall be replaced on a pro rata basis related to the principal amount of the then Outstanding Bonds and the then Outstanding other Parity Securities, as moneys become available therefor, first into all of such interest, principal, and reserve funds and second into all such rebate funds.

SECTION 46. Conditions to Additional Parity Securities.

A. Nothing herein, except as expressly hereinafter provided, shall prevent the issuance by the City of additional securities payable from Net Revenues and constituting a lien thereon on a parity with, but not prior or superior to, the lien

thereon of the Bonds, provided, however, that the following are express conditions to the authorization and issuance of any such Parity Securities:

(1) At the time of adoption of the instrument authorizing the issuance of the additional Parity Securities, the City shall not be in default in the payment of principal of or interest on the Bonds.

(2) The Net Revenues (subject to adjustments as hereinafter provided) projected by the City Finance Director, the Director of Public Works or an independent accountant or consulting engineer to be derived in the later of (i) the Fiscal Year immediately following the Fiscal Year in which the facilities to be financed with the proceeds of the additional Parity Securities are projected to be completed or (ii) the first Fiscal Year for which no interest has been capitalized for the payment of any Parity Securities, including the Parity Securities proposed to be issued, will be sufficient to pay at least an amount equal to the principal (or redemption price) and interest requirements (to be paid during that Fiscal Year) of the Outstanding Bonds, any other Outstanding Parity Securities of the City and the Parity Securities proposed to be issued (excluding any reserves therefor).

B. In any determination of whether or not additional Parity Securities may be issued in accordance with the foregoing earnings test, consideration shall be given to any probable estimated increase or reduction in Operation and Maintenance expenses that will result from the expenditure of the funds proposed to be derived from the issuance and sale of the additional Parity Securities.

C. In any determination of whether or not additional Parity Securities may be issued in accordance with the foregoing earnings test, the respective annual principal (or redemption price) and interest requirements shall be reduced to the extent such requirements are scheduled to be paid with moneys held in trust or in escrow for that purpose by any trust bank within or without the State, including the known minimum yield from any investment in Federal Securities (as herein defined).

D. A written certificate or written opinion by the City's Finance Director, the City's Director of Public Works, or an independent accountant or consulting

engineer that the foregoing earnings test is met, shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver additional Parity Securities.

E. In connection with the authorization of any such additional securities the Council may on behalf of the City adopt any additional covenants or agreements with the holders of such additional securities; provided, however, that no such covenant or agreement may be in conflict with the covenants and agreements of the City herein and no such covenant or agreement may be materially adverse to the interests of the holders of the Bonds. Any finding of the Council to the effect that the foregoing requirements are met shall, if made in good faith, conclusively establish that the foregoing requirements have been met for purposes of this Ordinance.

F. Nothing herein permits the issuance of securities having a lien on the Net Revenues superior to the lien thereon of the Bonds.

SECTION 47. Subordinate Securities for the Sewer System. Nothing herein, except as expressly hereinafter provided, shall prevent the City from issuing additional securities payable from Net Revenues and constituting a lien thereon subordinate to the lien thereon of the Bonds and any Outstanding Parity Securities; provided, however, that the proceeds of any such Subordinate Securities shall be used only to pay the cost (including, without limitation, incidental expenses) of a project for the betterment, enlargement, extension, other improvement or equipment of the Sewer System, or any combination thereof.

SECTION 48. Issuance of Refunding Bonds.

A. At any time after the Bonds, or any part thereof, are issued and remain Outstanding, if the City shall find it desirable to refund any Outstanding Bonds or other Outstanding Parity or Subordinate Securities payable from and constituting a lien upon any Gross Revenues, such Bonds or other securities, or any part thereof, may be refunded only if the Bonds or other securities at the time or times of their required surrender for payment shall then mature or shall be then callable for prior redemption for the purpose of refunding them at the City's option upon proper call,

unless the owner or owners of all such Outstanding securities consent to such surrender and payment, regardless of whether the priority of the lien for the payment of the refunding securities on the Pledged Revenues is changed (except as provided in Section 46F hereof).

B. The refunding bonds or other refunding securities so issued shall enjoy complete equality of lien with the portion of any securities of the same issue which is not refunded, if there is any; and the owner or owners of the refunding securities shall be subrogated to all of the rights and privileges enjoyed by the owner or owners of the unrefunded securities of the same issue partially refunded by the refunding securities.

C. Any refunding bonds or other refunding securities payable from any Gross Revenues shall be issued with such details as the Council may by ordinance provide, subject to the provisions of this section but without any impairment of any contractual obligation imposed upon the City by any proceedings authorizing the issuance of any unrefunded portion of the Outstanding securities of any one or more issues (including, without limitation, the Bonds).

D. If only a part of the Outstanding Bonds and other Outstanding securities of any issue or issues payable from the Gross Revenues is refunded, then such securities may not be refunded without the consent of the owner or owners of the unrefunded portion of such securities:

(1) Unless the refunding bonds or other refunding securities do not increase for any Bond Year the aggregate principal and interest requirements evidenced by the refunding securities and by the Outstanding securities not refunded on and before the last maturity date or last Redemption Date, if any, whichever is later, of the unrefunded securities, and unless the lien of any refunding bonds or other refunding securities on the Net Revenues is not raised to a higher priority than the lien thereon of the Bonds or other securities thereby refunded; or

(2) Unless the lien on any Gross Revenues for the payment of the refunding securities is subordinate to each such lien for the payment of any securities not refunded; or

(3) Unless the refunding bonds or other refunding securities are issued in compliance with Section 46 hereof.

SECTION 49. Operation of the System. The City shall at all times operate the Sewer System properly and in a sound and economical manner and shall maintain, preserve and keep the Sewer System properly, or cause the same so to be maintained, preserved and kept, in good repair, working order and condition. The City also shall from time to time make or cause to be made all necessary and proper repairs, replacements and renewals so that at all times the operation of the Sewer System may be properly and advantageously conducted in conformity with standards customarily followed by municipalities operating sanitary sewer facilities of like size and character.

Except for the use of the Sewer System or services pertaining thereto in the normal course of business, neither all nor a substantial part of the Sewer System shall be sold, leased, mortgaged, pledged, encumbered, alienated or otherwise disposed of until all the Bonds have been paid in full, or unless provision has been made therefor as hereinafter provided.

SECTION 50. Payment of Taxes, Etc. The City shall pay or cause to be paid all taxes, assessments and other municipal or governmental charges, if any, lawfully levied or assessed upon or in respect of the Sewer System or any part thereof, or upon any portion of the Gross Revenues, when the same shall become due. The City shall duly observe and comply with all valid requirements of any municipal or governmental authority relative to the Sewer System or any part thereof, except for any period during which the validity of the same is being contested in good faith by proper legal proceedings. The City shall not create or suffer to be created any lien or charge on the Sewer System or any part thereof, or upon the Gross Revenues, except the pledge and lien created by this Ordinance for the payment of the Bonds and any other outstanding Parity or Subordinate Securities issued in accordance herewith, and except as herein otherwise permitted. The City shall pay or cause to be discharged or shall make adequate provision to satisfy and to discharge within 60 days after the same shall become payable, all lawful claims and demands for labor, materials, supplies or other objects which, if unpaid, might by law become a lien upon the Sewer

System or any part thereof, or upon the Gross Revenues. Nothing herein contained requires the City to pay or cause to be discharged or to make provision for any such tax, assessment, lien, charge or demand before the time when payment thereon shall be due, or so long as the validity thereof shall be contested in good faith by appropriate legal proceedings.

SECTION 51. No Competing Facilities. The City shall neither construct nor permit to be constructed other facilities or structures to be operated by the City separate from the Sewer System and competing for Gross Revenues otherwise available for the payment of the Bonds or any other securities payable from Net Revenues; provided, however, that nothing herein contained shall impair the police powers of the City or otherwise cause the City to violate any applicable law.

SECTION 52. Rate Covenant. The City shall charge against users or against purchasers of services or commodities pertaining to the Sewer System such fees, rates and other charges as shall be sufficient to produce Gross Revenues annually which, together with any other funds available therefor, will be in each fiscal year of the City at least equal to the sum of:

- (a) an amount equal to the annual Operation and Maintenance Expenses for such fiscal year;
- (b) an amount equal to the Bond Requirements and other debt service due in such fiscal year on the then Outstanding Bonds and any Outstanding Parity Securities; and
- (c) any other amounts payable from the Net Revenues and pertaining to the Sewer System, including, without limitation, debt service on any Subordinate Securities and any other securities pertaining to the Sewer System, operation and maintenance reserves, capital reserves and prior deficiencies pertaining to any account relating to Gross Revenues.

The foregoing rate covenant is subject to compliance by the City with any legislation of the United States of America, the State or other governmental body, or any regulation or other action taken by the United States, the State or any agency or political subdivision of the State pursuant to such legislation, in the exercise of the police power thereof for the public welfare, which legislation, regulation or action limits or otherwise inhibits the amounts of fees, rates and other

charges collectible by the City for the use of or otherwise pertaining to, and all services rendered by, the Sewer System.

Subject to the foregoing, the City shall cause all fees, rates and other charges pertaining to the Sewer System to be collected as soon as reasonable and shall provide methods of collection and penalties to the end that the Gross Revenues shall be adequate to meet the requirements hereof.

SECTION 53. Records and Accounts. So long as any of the Bonds remain Outstanding, proper records and accounts shall be kept by the City, separate and apart from all other records and accounts, showing complete and correct entries of all transactions relating to the Sewer System and to all moneys pertaining thereto, including, without limitation, the Gross Revenues.

SECTION 54. Tax Covenant. The City covenants for the benefit of the owners of the Bonds that it will not take any action or omit to take any action with respect to the Bonds, the proceeds thereof, any other funds of the City or any facilities financed or refinanced with the proceeds of the Bonds if such action or omission (i) would cause the interest on the Bonds to lose its exclusion from gross income for federal income tax purposes under § 103 of the Tax Code, or (ii) would cause interest on the Bonds to lose its exclusion from alternative minimum taxable income as defined in § 55(b)(2) of the Tax Code except to the extent such interest is required to be included in the adjusted current earnings adjustment applicable to corporations under § 56 of the Tax Code in calculating corporate alternative minimum taxable income. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the Bonds until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code have been met.

SECTION 55. Defeasance. When all Bond Requirements of any Bond have been duly paid, the pledge, the lien, and all obligations hereunder as to that Bond shall thereby be discharged and the Bond shall no longer be deemed to be Outstanding within the meaning of this Ordinance. There shall be deemed to be such due payment when the City has placed in escrow or in trust with a trust bank located within or without the State, an amount sufficient (including the known minimum yield available for such purpose from direct obligations of, or obligations the principal of or interest on which are unconditionally guaranteed by, the United States of America (the

"Federal Securities") in which such amount may be initially invested wholly or in part) to meet all Bond Requirements of the Bond, as the same become due to the final maturity of the Bond, or upon any redemption date as of which the City shall have exercised or shall have obligated itself to exercise its prior redemption option by a call of Bond for payment then. The Federal Securities shall become due before the respective times on which the proceeds thereof shall be needed, in accordance with a schedule established and agreed upon between the City and the bank at the time of the creation of the escrow or trust, or the Federal Securities shall be subject to redemption at the option of the holders thereof to assure availability as needed to meet the schedule. For the purpose of this section "Federal Securities" shall include only Federal Securities which are not callable for redemption prior to their maturities except at the option of the owner thereof. When such defeasance is accomplished the Paying Agent shall mail written notice of the defeasance to the registered owner of the Bond at the address last shown on the registration records for the Bonds maintained by the Registrar.

SECTION 56. Amendments. This Ordinance may be amended or supplemented by instruments adopted by the City, without receipt by the City of any additional consideration, but with the written consent of the insurer of the Bonds, if any, or the owners of 66% in aggregate principal amount of the Bonds Outstanding at the time of the adoption of the amendatory or supplemental instrument, excluding Bonds which may then be held or owned for the account of the City, but including such refunding securities as may be issued for the purpose of refunding any of the Bonds if the refunding securities are not owned by the City. No such instrument shall permit without the consent of the insurer of the Bonds, if any, or all of the bondowners adversely affected thereby:

- (a) A change in the maturity or in the terms of redemption of the principal or any installment thereof of any Outstanding Bond or any installment of interest thereon;
- (b) A reduction in the principal amount of any bond or the rate of interest thereon, without the consent of the owner of the Bond; or
- (c) A reduction of the principal amount or percentages or otherwise affecting the description of Bonds the consent of the owners of which is required for any modification or amendment; or

(d) The establishment of priorities as between Bonds issued and Outstanding under the provisions of this Ordinance; or

(e) The modification of, or other action which materially and prejudicially affects the rights or privileges of the owners of less than all of the Bonds then Outstanding.

Whenever the City proposes to amend or modify this Ordinance under the provisions hereof, it shall cause notice of the proposed amendment (i) to be published one time in each of a newspaper published and of general circulation in Clark County, in the State of Nevada, and a financial newspaper or journal published in the City of New York, in the State of New York, as determined by the Council; and (ii) to be mailed by first class mail within 30 days to the insurer of the Bonds, if any, or each registered owner of each registered Bond. The notice shall briefly set forth the nature of the proposed amendment and shall state that a copy of the proposed amendatory instrument is on file in the office of the City Clerk for public inspection.

Whenever at any time within one year from the date of such notice there shall be filed in the office of the City Clerk an instrument or instruments executed by the insurer of the Bonds, if any, or the owners of at least 66% in aggregate principal amount of the Bonds then Outstanding, which instrument or instruments shall refer to the proposed amendatory instrument described in the notice and shall specifically consent to and approve the adoption of the instrument; thereupon, but not otherwise, the Council may adopt the amendatory instrument and the instrument shall become effective.

If the insurer of the Bonds, if any, or the owners of at least 66% in aggregate principal amount of the Bonds Outstanding, at the time of the adoption of the amendatory instrument, or the predecessors in title of such owners, shall have consented to and approved the adoption thereof as herein provided, no insurer or owner of any Bond, whether or not the insurer or owner shall have consented thereto, shall have any right or interest to object to the adoption of the amendatory instrument or to object to any of the terms or provisions therein contained or to the operation thereof or to enjoin the City from taking any action pursuant to the provisions thereof. Any consent given by the insurer of the Bonds, if any, or the owner of a Bond pursuant to the provisions hereof shall be irrevocable.

Bonds authenticated and delivered after the effective date of any action taken as provided in this Section 56 may bear a notation by endorsement or otherwise in form approved by the City as to the action; and if any Bond so authenticated and delivered shall bear such notation, then upon demand of the owner of any Bond Outstanding at such effective date and upon presentation of his bond, suitable notation shall be made on the Bond as to any such action. If the City so determines, new bonds so modified as in the opinion of the City to conform to such action shall be prepared, registered and delivered; and upon demand of the owner of any Bond then Outstanding, shall be exchanged without cost to the owner for Bonds then Outstanding upon surrender of such Bonds.

SECTION 57. Replacement of Registrar or Paying Agent. If the Registrar or Paying Agent shall resign, or if the Council shall reasonably determine that said Registrar or Paying Agent has become incapable of performing its duties hereunder, or if for any other reason the City determines to retain a successor Registrar or Paying Agent, the Council may, upon notice mailed to each owner of any Bond at his address last shown on the registration records, appoint a successor Registrar or Paying Agent. No resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. It shall not be required that the same person or institution serve as Registrar and Paying Agent thereunder, but the City shall have the right to have the same person or institution serve as Registrar and Paying Agent. Any successor Registrar and Paying Agent must be an officer or employee of the City or a commercial bank authorized to execute trust powers.

Any successor corporation or association into which the Registrar or Paying Agent may be converted or merged, or with which they may be consolidated, or to which they may sell or transfer their corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer, to which they are a party, shall be and become the successor Registrar or Paying Agent under this Ordinance, without the execution or filing of any instrument or any further act, deed, or conveyance on the part of any of the parties hereto, anything in this Ordinance to the contrary notwithstanding.

SECTION 58. Delegated Powers. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limitation:

A. The printing of the Bonds, including, without limitation, and if appropriate, a statement of insurance, if any;

B. The execution of the certificates as may be reasonably required by the purchaser, relating, inter alia,

(1) to the signing of the Bonds,

(2) to the tenure and identity of the officials of the City,

(3) to the assessed valuation of the taxable property in and the indebtedness of the City,

(4) to the rate of taxes levied against the taxable property within the City,

(5) to the exemption of interest on the Bonds from federal income taxation,

(6) to the delivery of the Bonds to The Depository Trust Company and the receipt of the Bond purchase price,

(7) to the completeness and accuracy of any information provided the Purchaser in connection with the Bonds as of the date of delivery of the Bonds, and

(8) if it is in accordance with the fact, to the absence of litigation, pending or threatened, affecting the validity of the Bonds;

C. The execution of the Depository Trust Company's "Letter of Representations" by the City Treasurer, as Paying Agent for the Bonds and, on behalf of the City, as issuer, of the Bonds;

D. The execution by the City's Finance Director of the Bond Purchase Proposal for the sale of the bonds with the Purchaser thereof;

E. The completion and execution by the City's Finance Director of the Certificate of the Finance Director and the Escrow Agreement; and

F. The assembly and dissemination of financial and other information concerning the City and the Bonds.

SECTION 59. Continuing Disclosure Undertaking and Certificate. The City covenants for the benefit of the holders and beneficial owners of the Bonds to comply with the provisions of the final Continuing Disclosure Certificate in substantially the form now on file with the City Clerk to be executed and delivered in connection with the delivery of the Bonds and the City Treasurer is authorized to execute and deliver such certificate on behalf of the City.

SECTION 60. Publication of Proposed Ordinance. When first proposed, this Ordinance must be read to the Council by title, after which an adequate number of copies of this Ordinance must be deposited with the City Clerk for public examination and distribution. Notice of the deposit must be published once in a newspaper published and having general circulation in the City at least 10 days before the adoption of the Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Deposit of an Ordinance)

**BILL NO.** \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2002B; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND PROVIDING FOR THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE CITY'S SEWER SYSTEM; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.**

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on October 2, 2002, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on October 16, 2002.

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form of Publication of Notice of Deposit of An Ordinance)

SECTION 61. Publication of Ordinance and Effective Date. After this Ordinance is signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published by title only, together with the names of the members of the Council who voted for or against its adoption. This Ordinance shall be in effect on and after such publication of adoption of this Ordinance shall be made at least once in a newspaper published and having general circulation in the City and such publication shall be in substantially the following form:

(Form of Publication of Adoption of Ordinance)

**BILL NO.** \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_

**(of Las Vegas, Nevada)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2002B; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND PROVIDING FOR THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE CITY'S SEWER SYSTEM; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.**

PUBLIC NOTICE IS HEREBY GIVEN, that an adequate number of typewritten copies of the above-numbered and entitled ordinance are available for public examination and distribution upon request at the office of the City Clerk of the City of Las Vegas, Nevada, at her office at 400 East Stewart Avenue, Las Vegas, Nevada; and that the above-numbered and entitled Ordinance was passed and adopted at a regular meeting of the City Council of the City of Las Vegas on October 16, 2002, by the following vote of the City Council:

Those Voting Aye:

Oscar Goodman  
Michael J. McDonald  
Gary Reese  
Larry Brown  
Lynette Boggs-McDonald  
Lawrence Weekly  
Michael Mack

Those Voting Nay:

\_\_\_\_\_

Those Absent:

\_\_\_\_\_

This Ordinance shall be in full force and effect on and after the \_\_\_\_ day of October, 2002, the date of the publication of such Ordinance by its title only.

**IN WITNESS WHEREOF**, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

DATED this October 16, 2002.

/s/ Oscar Goodman  
Mayor

Attest:

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form of Publication)

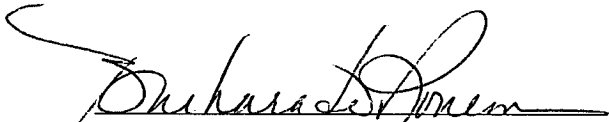
SECTION 62. Ordinance Irrepealable. This Ordinance, if any Bonds are in fact issued, shall be and shall remain irrepealable until the Bonds, as to all Bond Requirements, shall be fully paid, canceled and discharged, as herein provided.

SECTION 63. Implied Repealer. All resolutions and ordinances, bylaws and orders, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, ordinance, bylaw, order, or part thereof, heretofore repealed.

SECTION 64. Severability. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

  
\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

Attest:

  
\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM:

 9-19-02  
\_\_\_\_\_  
Date

2002.

This Ordinance shall be in force and effect on and after the 10<sup>th</sup> day of ~~October~~ November,

STATE OF NEVADA )  
 )  
COUNTY OF CLARK ) SS.  
 )  
CITY OF LAS VEGAS )

I, Barbara Jo Ronemus, the duly chosen, qualified and acting City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the Council on October 2, 2002 and finally adopted and approved on November 6, 2002.

2. The following members of the Council were present at the October 2, 2002 Council meeting:

Mayor:	Oscar Goodman
Councilmembers:	Gary Reese
	Michael J. McDonald
	Larry Brown
	Lynette Boggs-McDonald
	Lawrence Weekly
	Michael Mack

3. The foregoing Ordinance was first proposed and read by title to the City Council on October 2, 2002, and referred to a committee for recommendation; thereafter the said committee reported favorably on said Ordinance on November 6, 2002, which was a regular meeting of said Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The members of the City Council were present at the November 6, 2002 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar Goodman
	Gary Reese
	Michael J. McDonald
	Larry Brown
	Lawrence Weekly
	Michael Mack
Those Voting Nay:	NONE
Those Absent:	Lynette Boggs-McDonald

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on October 2, 2002, and November 6, 2002. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three working days before the meetings at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

- (i) City Hall  
Las Vegas, Nevada
- (ii) Senior Citizens Center  
Las Vegas, Nevada
- (iii) Clark County Government Center  
Las Vegas, Nevada
- (iv) Downtown Transportation Center  
Las Vegas, Nevada

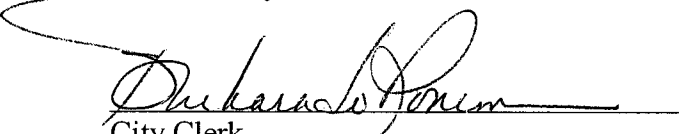
and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three working days before the meetings to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of such notice so given of the meeting of the Council on October 2, 2002, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the Council on November 6, 2002, is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

**IN WITNESS WHEREOF**, I have hereunto set my hand on this November 6, 2002.



City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of October 2, 2002 Meeting)

# CITY COUNCIL AGENDA

OCTOBER 2, 2002  
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**CITY COUNCIL AGENDA**

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

COUNCILMEMBERS: MICHAEL J. McDONALD (Ward 1), LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),  
LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6)

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Facilities are provided throughout City Hall for the convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

**OCTOBER 2, 2002**

**Morning Session begins at 9:00 a.m.  
Afternoon Session begins at 1:00 p.m.**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

**CEREMONIAL MATTERS**

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND JOHN PAUL WARREN, VOICE OF THE NATIONS
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF CITIZEN OF THE MONTH

**BUSINESS ITEMS**

1. Any items from the morning session that the Council, staff and/or the applicant wishes to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meeting of September 4, 2002

## **CONSENT AGENDA**

**MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.**

### **ADMINISTRATIVE - CONSENT**

3. Approval of the waiver of City clean-up and staging equipment fees for the October 12, 2002 Hispanic Day Parade (Not to exceed \$2,500 – Special Revenue Fund)

### **CITY ATTORNEY - CONSENT**

4. Approval to pay the Plaintiff \$92,500 to settle Leavitt v. City of Las Vegas and Union Pacific Railroad, Eighth Judicial District Court Case No. A392180 (Tort Liability Fund)

### **FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT**

5. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
6. Approval of a Special Event Liquor License for Rich, Wightman & Co., Location: 1301 South Jones Blvd., Date: October 4, 2002, Type: Special Event Beer/Wine, Event: 20th Anniversary/Ground Breaking Ceremony, Responsible Person in Charge: Bridget Chapman - Ward 1 (M. McDonald)
7. Approval of a Special Event Liquor License for Castaways Casino, Location: 2800 Fremont Street Parking Lot, Date: October 3-6, 2002, Type: Special Event Beer/Wine, Event: Zelzah Shrine Center Circus, Responsible Person in Charge: Laura Svihula - Ward 3 (Reese)
8. Approval of a Special Event Liquor License for Northshore Entertainment Group, LLC, Location: Steiner's A Nevada Style Pub, 8410 West Cheyenne Ave. Parking Lot, Date: October 4, 2002, Type: Special Event General, Event: 5th Annual Oktoberfest Party, Responsible Person in Charge: Linda Gagliardi - Ward 4 (Brown)
9. Approval of a Special Event Liquor License for Latin American Enterprises, Location: Lorenzi Park, 3333 West Washington Ave., Date: October 20, 2002, Type: Special Event General, Event: Hispanic Heritage Celebration, Responsible Person in Charge: Mike Johnson - Ward 5 (Weekly)
10. Approval of a new Tavern Liquor License subject to the provisions of the planning and fire codes and Health Dept. regulations, Jillian's Management Company, Inc., dba Jillian's Management Company, Inc., 450 Fremont Street, #130, Ronald D. Widman, Dir, Pres, Secy, Treas, Jillian's, Inc., 100%, Ronald D. Widman, Asst Treas - Ward 5 (Weekly)
11. Approval of Franchise Manager for a Beer/Wine/Cooler Off-sale Liquor License subject to the provisions of the fire codes and Health Dept. regulations, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #20687G, 1600 North Rancho Drive, Jay S. Petty, Franchise Mgr - Ward 5 (Weekly)
12. Approval of Key Employee for a Tavern Liquor License, Cornerstone Productions, Inc., dba TGI Friday's, 4570 West Sahara Ave., Richard A. Olivas, Gen Mgr - Ward 1 (M. McDonald)
13. Approval of Key Employee for a Tavern Liquor License, Power Company, Inc., dba Crazy Horse Too, 2476 Industrial Road, Albert J. Rapuano, Gen Mgr - Ward 1 (M. McDonald)

## FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

14. Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License, Mighty Mart, Inc., dba Mighty Mart, 515 East Oakley Blvd., Danny A. Moreau, Mgr - Ward 3 (Reese)
15. Approval of Key Employee for a Package Liquor License, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #29667A, 30 West Wyoming Ave., Sandra M. Britton, Mgr - Ward 1 (M. McDonald)
16. Approval of Key Employee for a Tavern Liquor License, Lone Star Steakhouse & Saloon of Las Vegas, Inc., dba Lone Star Steakhouse & Saloon, 3131 North Rainbow Blvd., Joey D. Nelson, Gen Mgr - Ward 6 (Mack)
17. Approval of Change of Ownership and Change of Business Name for a Tavern Liquor License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes and Health Dept. regulations, From: Charles Eric Von Goerken, dba Spirits Lounge and Grill, Charles E. Von Goerken, 100%, To: Da Silva-Brammall, Inc., dba Beefy's, 4601 West Sahara Ave., Suites W,X,Y & Z, Christina M. da Silva Brammall, Dir, Pres, Secy, Treas, 98%, Peter H. H. Brammall, Dir, 2% - Ward 1 (M. McDonald)
18. Approval of a Special Event Liquor License for Las Vegas Founders' Club, Location: 1700 Village Center Circle, Date: October 7-13, 2002, Type: Special Event General, Event: PGA Golf Tournament, Responsible Person in Charge: David Roush - Ward 2 (L.B. McDonald)
19. Approval of Officer for a Tavern Liquor License and a Non-restricted Gaming License, Stratosphere Gaming Corporation, dba Stratosphere Tower, Casino & Hotel, 2000 Las Vegas Blvd., South, Richard P. Brown, EVP, CFO - Ward 1 (M. McDonald)
20. Approval of Officer for a Tavern Liquor License and a Non-restricted Gaming License, GNLV Corporation, dba Golden Nugget, 129 Fremont Street, Bryan L. Wright, Asst Secy - Ward 1 (M. McDonald)
21. Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots, Red Rock Properties, Incorporated, dba Club Barajas Bar & Grille, 5350 West Charleston Blvd., Esau M. Barajas, Mgr - Ward 1 (M. McDonald)
22. Approval of Key Employee for a Tavern Liquor License and a Non-restricted Limited Gaming License for 20 slots, Loose Caboose-Nellis, Inc., dba Loose Caboose Saloon, 15 North Nellis Blvd., Suite A1, Michele D. Richardson, Gen Mgr - Ward 3 (Reese)
23. Approval of Key Employee for a Tavern Liquor License and a Non-restricted Limited Gaming License for 35 slots, Golden - PT's Pub Stewart-Nellis 2, LLC, dba PT's Slot Casino, 347 North Nellis Blvd., Charles H. Rush, Bar Mgr - Ward 3 (Reese)
24. Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots, Hoosiers, Inc., dba Club 50, 865 North Lamb Blvd., Suites 6, 7, 8 & 9, David W. Francum, Mgr - Ward 3 (Reese)
25. Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots, Buffalo Investments, Inc., dba Roadrunner Saloon Buffalo, 921 North Buffalo Dr., Bobbie S. Rihel, Gen Mgr - Ward 4 (Brown)
26. Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots, Golden - PT's Pub Summerlin 6, LLC, dba PT's Pub, 8584 West Lake Mead Blvd., Gary A. Berger, Bar Mgr - Ward 4 (Brown)
27. Approval of Key Employee for a Tavern Liquor License and a Non-restricted Limited Gaming License for 22 slots, 49er, Inc., dba 49er Saloon & Casino, 1556 North Eastern Ave., Terry J. Bradshaw, Mgr - Ward 5 (Weekly)
28. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 4 slots, Sunset Coin, Inc., db at Northside Nathan's, 7531 West Lake Mead Blvd., Suite 300 - Ward 4 (Brown)
29. Approval of a new Locksmith License, Kenneth L. Albright, dba Albright Lock & Key, 7201 William Anders Ave., Kenneth L. Albright, 100% - Ward 1 (M. McDonald)

## **FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT**

30. Approval of a new Massage Establishment License, Herbal Works, dba Herbal Works, 5900 West Charleston Blvd., Suite 13, Nadia D. Gross, Dir, Pres, Secy, Treas, 100% - Ward 1 (M. McDonald)
31. Preapproval of Bid Number 02.15341.10-LED, Mirabelli Senior Center to the lowest responsive & responsible bidder and approve the construction conflicts and contingency reserve set by Finance & Business Services - Department of Public Works (monetary range \$1,400,000 to \$1,900,000 - Special Revenue Fund) - Ward 1 (M. McDonald)
32. Approval of award of Bid Number 03.1730.05-RC, Downtown Streets Rehabilitation, Phase 2 and approve the construction conflicts & contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: DARBY NEAGLE ENTERPRISES (\$1,281,688 - Special Revenue Fund) - Ward 5 (Weekly)
33. Approval of Contract Modification Number One to Bid Number 01.1762.05-RC, Annual AC Pavement Reconstruction - Department of Field Operations - Award recommended to: SOUTHERN NEVADA PAVING, INC. (\$350,000 - Capital Projects Fund) - All Wards
34. Approval of the issuance of a purchase order for replacement of communications hardware and software (JDF) - Department of Fire & Rescue - Award recommended to TRITECH SOFTWARE SYSTEMS (\$289,728 - Internal Service Fund)
35. Approval of rejection of bid and award of Bid Number 020080-DAR, Annual Requirements Contract for White Traffic Zone Paint - Department of Public Works - Award recommended to: TMT PATHWAY, LLC (Estimated annual amount of \$50,000 - General Fund)
36. Approval of award of Bid Number 030025-DAR, Annual Requirements Contract for Automotive Batteries - Department of Field Operations - Award Recommended to: STANDARD BATTERIES OF LAS VEGAS - (Estimated annual amount of \$50,000 - General Fund)
37. Approval of the issuance of a purchase order and agreement for bi-annual professional monitoring and maintenance of sewer system flow monitors - Department of Public Works - Award recommended to: ADS CORPORATION (\$49,356 - General Fund)
38. Approval of award of Bid Number 030006-CW, Annual Requirements Contract for Audio Equipment - Department of Leisure Services - Award recommended to: THE LENZ GROUP (Estimated annual amount of \$43,000 - General Fund)
39. Approval of the issuance of a purchase order for an Annual Requirements Contract for Hayward Gordon equipment and parts (TB) - Department of Public Works - Award recommended to: GOBLE SAMPSON ASSOCIATES (Estimated annual amount of \$100,000 - Sanitation Fund)
40. Approval of award of Bid Number 01.1762.08-RC, CMAQ Paving Project, Federal Project No. CM-003 (73) and approve the construction conflicts and contingency reserve set by Finance & Business Services - Department of Field Operations - Award recommended to: WELLS CARGO, INC. (\$995,500 - Capital Projects Fund) - Wards 1, 3 and 5 (M. McDonald, Reese and Weekly)

## **HUMAN RESOURCES DEPARTMENT - CONSENT**

41. Approval of payment for a permanent partial disability award - Claim #WC01050154, as required under the workers' compensation statutes (\$34,344 - Workers' Compensation Internal Service Fund)
42. Approval to create the position of Senior ITS Technician (\$76,800 - Special Revenue/NDOT Reimbursement)
43. Approval to create the position of Senior Systems Analyst (\$81,900 - Special Revenue/NDOT Reimbursement)

## NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT

44. Approval of an agreement with the Las Vegas Housing Authority (HUD) authorizing use of Payment In Lieu of Taxes (PILOT) for \$80,037 annually for 5 years toward the purpose of repayment of loan taken to satisfy HUD Repayment Agreement - All Wards

## PUBLIC WORKS DEPARTMENT - CONSENT

45. Approval of an Engineering Design Services Agreement with Martin & Martin, Inc. for engineering services for the Charleston Boulevard Sewer Rehabilitation Phase II and the Bruce Street Sanitary Sewer Diversion Construction (\$539,246 - Sanitation Funds) - Ward 3 (Reese)
46. Approval of an Engineering Design Services Agreement with Black & Veatch for engineering services for the Sahara Avenue Sewer, Phase III (\$305,192 - Sanitation Funds) - Ward 3 (Reese)
47. Approval of a Bill of Sale to the Las Vegas Valley Water District for transfer of ownership of water distribution facilities installed in conjunction with the Elkhorn Springs Neighborhood Park - Ward 6 (M. Mack)
48. Approval to appraise and purchase or condemn traffic easement parcels for the Oakey/Community College Drive Traffic Improvements Project located at the intersection of Oakey Boulevard and Community College Drive/Verdinal Drive (\$10,000 - Traffic Improvements Capitol Project Fund) - Ward 1 (M. McDonald)
49. Approval of Supplemental Interlocal Contract #288b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada for the construction of Buffalo Drive, Cheyenne Avenue to Lone Mountain Road (\$6,967,000 - Regional Transportation Commission of Southern Nevada) - Ward 4 (Brown)
50. Approval of a Declaration of Covenants, Conditions and Restrictions, Grant of Easements for Parks in Pine Meadows and Parks Construction and Maintenance Agreement - Ward 6 (Mack)
51. Approval of a Professional Services Agreement with Carpenter Sellers Associates for the design services of Huntridge Circle Park located at Maryland Parkway and Francis Avenue (\$105,610 - Las Vegas Convention and Visitors Authority) - Ward 3 (Reese)

## RESOLUTIONS - CONSENT

52. R-97-2002 - Approval of a Resolution directing the City Treasurer to prepare the First Assessment Lien Apportionment Report for Special Improvement District No. 1482 - Gowan Road (Metro Park) from Hualapai Way to Jensen Street (Levy Assessments) - Ward 4 (Brown)
53. R-98-2002 - Approval of a Resolution approving the First Assessment Lien Apportionment Report for Special Improvement District No. 1482 - Gowan Road (Metro Park) from Hualapai Way to Jensen Street (Levy Assessments) - Ward 4 (Brown)
54. R-99-2002 - Approval of a Resolution directing the City Treasurer to prepare the Nineteenth Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
55. R-100-2002 - Approval of a Resolution approving the Nineteenth Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
56. R-101-2002 - Approval of a Resolution directing the City Treasurer to prepare the Twentieth Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
57. R-102-2002 - Approval of a Resolution approving the Twentieth Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

## RESOLUTIONS - CONSENT

58. R-103-2002 - Approval of a Resolution directing the City Treasurer to prepare the Twenty-First Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
59. R-104-2002 - Approval of a Resolution approving the Twenty-First Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
60. R-105-2002 - Approval of a Resolution directing the City Treasurer to prepare the Seventy-First Assessment Lien Apportionment Report for Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
61. R-106-2002 - Approval of a Resolution approving the Seventy-First Assessment Lien Apportionment Report for Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
62. R-107-2002 - Approval of a Resolution Fixing Parking Meter Fees

## DISCUSSION / ACTION ITEMS

### ADMINISTRATIVE - DISCUSSION

63. Report from the City Manager on emerging issues
64. Discussion and possible action on ratification of the non-supervisory contract between the City of Las Vegas and the International Association of Firefighters (IAFF) Local 1285 (\$3,823,000 - General Fund & Communication Internal Service Fund)

### CITY ATTORNEY - DISCUSSION

65. Discussion and possible action on Appeal of Work Card Denial: Kimberli Marie Bautista, 1109 Emerywood Court #B, Las Vegas, Nevada 89117
66. Discussion and possible action to pay the State of Nevada \$985,347 in unclaimed property for parking ticket overpayments (Parking Enterprise Fund)

### FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

67. ABEYANCE ITEM - Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Package Liquor License subject to Health Dept. regulations, From: Van Lee, dba X. O. Liquor, Van Lee, 100%, To: Allan Tran, dba 2000 X O Liquor, 1616 Las Vegas Blvd., South, Allan Tran, 100% - Ward 1 (M. McDonald)
68. ABEYANCE ITEM - Discussion and possible action regarding a Review of a Supper Club Liquor License, Lightcoin, Inc., dba Club 2100, 2100 Fremont Street, Lawrence D. Rosales, Dir, Pres, Secy, Treas, 100% - Ward 3 (Reese)
69. Discussion and possible action regarding Approval of Franchise Manager for a Beer/Wine/Cooler Off-sale Liquor License subject to Health Dept. regulations, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store #13681G, 4950 West Charleston Blvd., Harold J. Spickler, Franchise Mgr - Ward 1 (M. McDonald)
70. Discussion and possible action regarding Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots, Pacific Rainbow, LLC, dba Timbers, 2200 North Rainbow Blvd., Timothy W. McCullough, Gen Mgr - Ward 6 (Mack)

## **FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION**

71. Discussion and possible action regarding a One-Year Review of a Restricted Gaming License for 7 slots, E-T-T, Inc., db at Texaco Star Mart, 9991 West Charleston Blvd., Mixed Nuts Hospitality Group, LLC, Participant in Gaming Revenue, William R. Phillips, Mmbr, Mgr, 100% - Ward 2 (L.B. McDonald)
72. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: CFL Enterprises, LLC, dba A Taste of Italy Restaurant, Carmine M. Ferrara, Mmbr, 100%, To: Caramella, Inc., dba Marco's Taste of Italy, 4343 North Rancho Drive, Suite 124, Candis S. Armour, Dir, Pres, Secy, Treas, 100% - Ward 6 (Mack)
73. ABEYANCE ITEM - Discussion and possible action regarding a new Massage Establishment License subject to the provisions of the fire codes, Hai Bin Liu, dba Asian Princess Spa, 2212 Paradise Road, Hai Bin Liu, 100% - Ward 3 (Reese)
74. Discussion and possible action regarding a new Massage Establishment License subject to the provisions of the planning and fire codes, Cathay Massage, Inc., dba Cathay Massage, Inc., 7450 West Cheyenne Ave., Suite 113, Chen H. Liu, Dir, Pres, Secy, Treas, 100% - Ward 4 (Brown)

## **PUBLIC WORKS DEPARTMENT - DISCUSSION**

75. Discussion and possible action on a request to install Speed Humps on 11th Street between St. Louis Avenue and Griffith Avenue (\$18,000 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

## **RESOLUTIONS - DISCUSSION**

76. R-108-2002 - Discussion and possible action on a Resolution expressing the City Council's support for passage of the Fair Share Funding for Transportation question - All Wards
77. R-109-2002 - Discussion and possible action regarding a Resolution supporting the passage of statewide question No. 1 regarding the issuance of state bonds for conservation and resource protection

## **BOARDS & COMMISSIONS - DISCUSSION**

78. ABEYANCE ITEM - ETHICS REVIEW BOARD - Earle W. White, Jr., Term Expiration 4-14-2001; Robert J. Fleming, Term Expiration 4-14-2001; Linda Young, Term Expiration 5-12-2001; Louis Johnson, Term Expiration 9-5-2005 (Resigned)
79. ABEYANCE ITEM - Discussion and possible action on the two or four year appointment of the Ward 6 representative on the Ethics Review Board in accordance with Ordinance No. 5436, adopted August 1, 2001

## **RECOMMENDING COMMITTEE REPORTS - DISCUSSION**

### **BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

80. Bill No. 2002-96 - Expands the grounds for denial of a privileged license, adds temporary licensing provisions and amends the waiver of suitability provisions. Proposed by: Mark Vincent, Director, Finance and Business Services
81. Bill No. 2002-97 - Updates the portion of the Town Center Development Standards Manual that pertains to signs. Proposed by: Robert S. Genzer, Director of Planning and Development

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

82. Bill No. 2002-98 – Expands the boundaries of the Special Signage Sub-district within the Downtown Casino Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development
83. Bill No. 2002-100 – Amends Ordinance No. 3992 (creating Special Improvement District No. 707 - Summerlin Area), and approves the First Amendment to the Development and Financing Agreement related thereto. Proposed by: Richard D. Goecke, Director of Public Works
84. Bill No. 2002-102 – Establishes the Downtown Entertainment Overlay District and corresponding regulatory provisions, and establishes a “tavern-limited” liquor license pertaining to the District. Sponsored by: Mayor Oscar B. Goodman

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.**

85. Bill No. 2002-95 – Repeals and replaces LVMC Chapter 6.50, relating to liquor control, and revises related zoning provisions. Proposed by: Mark Vincent, Director, Finance and Business Services
86. Bill No. 2002-101 – Annexation No. A-0013-02(A) – Property location: 330 feet north of Buckskin Avenue and 640 feet east of Cliff Shadows Parkway; Petitioned by: Donald and Beth Sylvester; Acreage: 2.54 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Larry Brown
87. Bill No. 2002-103 – Ordinance Creating Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) Sponsored by: Step Requirement (\$3,824,708.11 - Capital Projects Fund/Special Assessments)
88. Bill No. 2002-104 – Ordinance Creating Special Improvement District No. 1495 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) Sponsored by: Step Requirement (\$161,922.91 - Capital Projects Fund/Special Assessments)

## NEW BILLS

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.**

89. Bill No. 2002-105 – Adopts the 2003 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
90. Bill No. 2002-106 – Adopts the 2000 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
91. Bill No. 2002-107 – Adopts the 2002 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
92. Bill No. 2002-108 – Adopts the 2000 Edition of the Uniform Mechanical Code and certain Appendices, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety

## NEW BILLS

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.**

93. Bill No. 2002-109 – Adopts the Conservation Element of the Las Vegas 2020 Master Plan. Proposed by: Robert S. Genzer, Director of Planning and Development
94. Bill No. 2002-110 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered, Negotiable, General Obligation (Limited Tax) Fire Refunding Bonds, Series 2002C, not to exceed the amount necessary to effect the Refunding Project plus the cost of issuance of the Bonds, for the purpose of achieving interest rate savings - Various wards
95. Bill No. 2002-111 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered, Negotiable, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002B, not to exceed the amount necessary to effect the Refunding Project, for the purpose of achieving interest rate savings - Various wards
96. Bill No. 2002-112 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered, Negotiable, General Obligation (Limited Tax) Transportation Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002D, not to exceed the amount necessary to effect the Refunding Project, for the purpose of achieving interest rate savings - Various wards
97. Bill No. 2002-113 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered, Negotiable, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, not to exceed \$25,000,000, for the purpose of defraying wholly or in part the cost of acquiring, constructing, reconstructing, improving and equipping building projects in the City, including without limitation, buildings to accommodate offstreet parking projects - Ward 3 (Reese)

## CLOSED SESSION – To Be Held at Conclusion of Morning Session

Upon a duly carried Motion, a closed meeting is called in accordance with NRS 288.220 to discuss negotiations on the CEA, LVPOA, PPA, IAFF Non-Supervisory and IAFF Supervisory contracts

## 1:00 P.M. - AFTERNOON SESSION

98. Any items from the afternoon session that the Council, staff and/or the applicant wishes to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

## PUBLIC HEARINGS - DISCUSSION

99. Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 4550 East Washington Avenue. PROPERTY OWNER: AZRA INVESTMENTS CORPORATION - Ward 3 (Reese)
100. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3104 Merritt Avenue. PROPERTY OWNER: HILARIO TRINIDAD AND FREDY MORALES LUNA - Ward 1 (M. McDonald)
101. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 340 Arnold Street. PROPERTY OWNER: GILBERT AND SANDRA M. O. PEREZ - Ward 5 (Weekly)

## PLANNING & DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

102. ABEYANCE ITEM - EXTENSION OF TIME - REZONING - Z-0045-94(7) - J AND K VILLANI TRUST - Request for an Extension of Time on an approved Rezoning (Z-0045-94) FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 1.05 acres on the north side of Lake Mead Boulevard, approximately 640 feet west of Torrey Pines Drive (APN: 138-23-201-003), PROPOSED USE: MINOR AUTOMOTIVE REPAIR GARAGE FACILITY, Ward 6 (Mack). The Planning Commission (3-2 vote) recommends DENIAL. Staff recommends APPROVAL
103. MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING - Z-0024-99(43) - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY - Request for a Major Modification to the Lone Mountain West Master Development Plan to add approximately 15 acres into the Plan and have the subject area designated as Medium Low Density Residential on the south side of Lone Mountain Road, approximately 330 feet west of Cliff Shadows Parkway (APN: 137-01-101-002, 003, and 004), Ward 4 (Brown). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
104. ABEYANCE ITEM - MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING - MSH-0005-02 - SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY ON BEHALF OF RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request to amend the Master Plan of Streets and Highways to designate Frontage Road as a 70-foot wide Secondary Collector Roadway between Ackerman Avenue and approximately 1000 feet south of Horse Drive, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
105. ABEYANCE ITEM - VACATION RELATED TO MSH-0005-02 - PUBLIC HEARING - VAC-0060-02 - SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY ON BEHALF OF RICHMOND AMERICAN HOMES - Petition to vacate a portion of Ackerman Avenue located east of Rancho Drive (U.S. Highway 95), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
106. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - V-0037-02 - I AND K HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Variance to allow three parking spaces where the proposed uses require 14 parking spaces on property located at 2111 South Maryland Parkway (APN: 162-02-410-072), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-1 vote) and staff recommend APPROVAL
107. ABEYANCE ITEM - VARIANCE RELATED TO V-0037-02 - PUBLIC HEARING - V-0038-02 - I AND K HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Variance to allow an existing building zero feet from the side property line, where five feet is the minimum setback required on property located at 1205 Exley Avenue (APN: 162-02-410-071), R-2 (Medium-Low Density Residential) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
108. ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO V-0037-02 AND V-0038-02 - PUBLIC HEARING - U-0073-02 - I AND K HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit TO ALLOW A PSYCHIC ARTS BUSINESS on property located at 2111 South Maryland Parkway (APN: 162-02-410-072), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-1 vote) and staff recommend APPROVAL
109. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0170-00(1) - COSTCO WHOLESALE CORPORATION - Required One Year Review of an approved Special Use Permit which allowed gasoline sales in conjunction with a Costco Wholesale Store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center Drive (APN: 137-35-714-001), PC (Planned Community) Zone, Ward 2 (L.B. McDonald). Staff recommends APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

110. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0171-00(1) - COSTCO WHOLESALE CORPORATION - Required One Year Review of an approved Special Use Permit which allowed the sale of Package Liquor in conjunction with a Costco Wholesale Store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center Drive (APN: 137-35-714-001), PC (Planned Community) Zone, Ward 2 (L.B. McDonald). Staff recommends APPROVAL
111. REQUIRED ONE YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0172-00(1) - COSTCO WHOLESALE CORPORATION - Required One Year Review of an approved Special Use Permit which allowed minor auto repair in conjunction with a Costco Wholesale Store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center Drive (APN: 137-35-714-001), PC (Planned Community) Zone, Ward 2 (L.B. McDonald). Staff recommends APPROVAL
112. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0167-01 - GILBERT LEVY ON BEHALF OF REAGAN NATIONAL ADVERTISING - Appeal filed by Reagan National Advertising from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 24-FOOT BY 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 401 West Bonanza Road (APN: 139-27-401-016), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL
113. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0086-02 - DECATUR SHOPPING CENTER ASSOCIATION ON BEHALF OF JUAN JOSE DIAZ - Request for a Special Use Permit TO ALLOW A BANQUET FACILITY on property located at 1401 North Decatur Boulevard, Suite 13 (APN 138-25-503-007), C-1(Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
114. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0089-02 - KRISHNA INC. ON BEHALF OF BAHRAM-GANJEI - Appeal filed by Bahram Ganjei from the denial by the Planning Commission on a request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH AN EXISTING MARKET on property located at 124 South 6th Street (APN: 139-34-611-051), C-2 (General Commercial), Ward 5 (Weekly). The Planning Commission (5-1-1 vote) and staff recommend DENIAL
115. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0092-02 - JOSE E. ARAGON ON BEHALF OF CINGULAR WIRELESS - Appeal filed by Cingular Wireless from the Denial by the Planning Commission of a request for a Special Use Permit FOR A 63 FOOT TALL WIRELESS COMMUNICATION MONOPOLE on property located at 808 South First Street (APN: 139-34-310-009) C-M (Commercial/Industrial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend DENIAL
116. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0095-02 - WENDY'S LAS VEGAS INC. ON BEHALF OF CINGULAR WIRELESS - Appeal filed by Cingular Wireless from the Denial by the Planning Commission of a request for a Special Use Permit FOR A 63 FOOT TALL WIRELESS COMMUNICATION MONOPOLE on property located at 4400 West Sahara Avenue (APN: 162-06-402-007) C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend DENIAL
117. ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - U-0045-02 - BRIAN AND JULIE LEE & GARY LICKER - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN: 137-12-101-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
118. ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO U-0045-02 - PUBLIC HEARING - U-0047-02 - BRIAN AND JULIE LEE & GARY LICKER - Request for a Special Use Permit FOR AN OFF-PREMISE LIQUOR ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED DRUG STORE adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN: 137-12-101-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

119. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0045-02 AND U-0047-02 - PUBLIC HEARING - Z-0068-01(1) - BRIAN AND JULIE LEE & GARY LICKER - Request for a Site Development Plan Review and a Reduction in the Amount of Landscape Planter Finger Islands FOR A 22,920 SQUARE FOOT COMMERCIAL CENTER adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN: 137-12-101-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
120. ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-0034-02 - GRAND TETON THOM, LIMITED LIABILITY COMPANY ET AL ON BEHALF OF THOMAS W. FEHRMAN - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units per Acre) of 7.49 acres located adjacent to the west side of Thom Boulevard, approximately 660 feet north of Grand Teton Road (APN's: 125-12-801-018 & 019), PROPOSED USE: SINGLE-RESIDENTIAL, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
121. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0034-02 - PUBLIC HEARING - Z-0034-02(1) - GRAND TETON THOM, LIMITED LIABILITY COMPANY ET AL ON BEHALF OF THOMAS W. FEHRMAN - Request for a Site Development Plan Review FOR A PROPOSED 26-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 7.49 acres located adjacent to the west side of Thom Boulevard, approximately 660 feet north of Grand Teton Road (APN's: 125-12-801-018 & 019), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL
122. ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-0066-02 - CAMINAR - LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [M (Medium Density Residential) General Plan Designation TO: R-3 (Medium Density Residential) on 1.26 acres at 2140 Vegas Drive (APN: 139-20-802-007), [PROPOSED USE: CONVALESCENT CARE FACILITY ADDITION TO AN EXISTING GROUP HOME], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
123. ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-0066-02 - PUBLIC HEARING - U-0088-02 - CAMINAR - LAS VEGAS - Request for a Special Use Permit FOR A CONVALESCENT CARE FACILITY at 2140 Vegas Drive (APN: 139-20-802-007), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
124. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0066-02 AND U-0088-02 - PUBLIC HEARING - SD-0033-02 - CAMINAR - LAS VEGAS - Request for a Site Development Plan Review FOR AN 8-UNIT CONVALESCENT CARE FACILITY ADDITION TO AN EXISTING GROUP HOME on 1.26 acres at 2140 Vegas Drive (APN: 139-20-802-007), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] [PROPOSED: R-3 (Medium Density Residential)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
125. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

## ADDENDUM

### CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes

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THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

Las Vegas Library, 833 Las Vegas Boulevard North  
Senior Citizen Center, 450 E. Bonanza Road  
Clark County Government Center, 500 S. Grand Central Parkway  
Court Clerk's Office Bulletin Board, City Hall Plaza  
City Hall Plaza, Special Outside Posting Bulletin Board

EXHIBIT B

(Attach Copy of Notice of November 6, 2002 Meeting)

# CITY COUNCIL AGENDA

NOVEMBER 6, 2002  
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## AFTERNOON

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## CITY COUNCIL AGENDA

COUNCIL CHAMBERS • 400 STEWART AVENUE • PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

OSCAR B. GOODMAN, MAYOR (At-Large) • COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

COUNCILMEMBERS: MICHAEL J. McDONALD (Ward 1), LARRY BROWN (Ward 4), LYNETTE BOGGS McDONALD (Ward 2),  
LAWRENCE WEEKLY (Ward 5), MICHAEL MACK (Ward 6)

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Facilities are provided throughout City Hall for the convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

**NOVEMBER 6, 2002**

**Morning Session begins at 9:00 a.m.  
Afternoon Session begins at 1:00 p.m.**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO TAPES ARE AVAILABLE AT A COST OF \$3.00 PER TAPE AND DUPLICATE VIDEO TAPES ARE AVAILABLE AT A COST OF \$5.00 PER TAPE THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

### CEREMONIAL MATTERS

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - REVEREND TOM UNMACHT, THE LAKES LUTHERAN CHURCH
- PLEDGE OF ALLEGIANCE
- RECOGNITION OF CITIZEN OF THE MONTH
- SPECIAL PRESENTATION RELATED TO THE CITY'S CANINE PROGRAM
- RECOGNITION OF CENTENNIAL HILLS IDOL CONTEST PARTICIPANTS
- PRESENTATION BY THE LAS VEGAS PHILHARMONIC

### BUSINESS ITEMS

1. Any items from the morning session that the Council, staff and/or the applicant wishes to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
2. Approval of the Final Minutes by reference of the Regular City Council Meeting of October 2, 2002

## **CONSENT AGENDA**

**MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.**

### **ADMINISTRATIVE SERVICES - CONSENT**

3. Approval of an agreement with Embeck Media to place media on City of Las Vegas parking meters

### **BUSINESS DEVELOPMENT - CONSENT**

4. Approval to accept and authorization for the Mayor to execute the Grant Funding Agreement for a \$150,000 grant from the Nevada Commission on Cultural Affairs for the renovation and adaptive re-use of the Downtown Heritage Center (Federal Building-Post Office) at 301 Stewart Avenue (APN#139-34-501-002) - Ward 5 (Weekly)
5. Approval to accept and authorization for the Mayor to execute the Grant Funding Agreement for a \$20,000 grant from the Historic Preservation Fund for the renovation and adaptive re-use of the Downtown Heritage Center (Federal Building-Post Office) at 301 Stewart Avenue (APN#139-34-501-002) - Ward 5 (Weekly)

### **FIELD OPERATIONS DEPARTMENT - CONSENT**

6. Approval of Third Amendment to a Professional Services Agreement with Kitchell Contractor's Inc. for construction management and review of construction bid documents for the construction of the Stewart Avenue Parking Garage (\$75,000 - Capital Projects Fund) - Ward 5 (Weekly)

### **FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT**

7. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
8. Approval to appropriate funding in the amount of \$290,000 (City Facilities Capital Projects Fund) for the remodel of the facilities at 416 N. 7th Street to meet occupancy requirements - Ward 5 (Weekly)
9. Approval to transfer funding in the amount of \$200,000 (Parks & Leisure Activities Capital Projects Fund) from the Arbor Hills project to the Bonanza-Sandhill Ballfield project, and to increase prior pre-approved contract award from \$2,200,000 to \$2,232,000 plus conflicts and contingency reserve as set by Purchasing and Contracts Division - Ward 3 (Reese)
10. Approval to transfer up to \$200,000 (Parks & Leisure Activities Capital Projects Fund) to the Community College of Southern Nevada (CCSN) towards paving the parking lot adjacent to and for the joint benefit of Opportunity Village, subject to an agreement to be executed by the City Manager - Ward 1 (M. McDonald)
11. Approval of the fourth quarterly approval of Qualified Contractors for the period November 6, 2002 through January 1, 2004 pursuant to City of Las Vegas Qualification Plan
12. Approval of a Special Event Liquor License for Mission of St. Charbel, Location: Our Lady of Las Vegas Catholic Church, 3050 Alta Drive, Date: November 9, 2002, Type: Special Event General, Event: Fund-raising Dinner, Responsible Person in Charge: Antoine Abi-Nader - Ward 1 (M. McDonald)
13. Approval of a new Package Liquor License subject to the provisions of the planning and fire codes and Health Dept. regulations, The Vons Companies, Inc., dba Vons #2613, 6450 Sky Pointe Drive, Thomas Keller, Pres, David J. Zylstra, VP, Thomas B. Acevedo, Secy, Bradley S. Fox, Treas - Ward 6 (Mack)

## FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT

14. Approval of Change of Ownership for a Beer/Wine/Cooler On-sale Liquor License, From: Cholwon Lee, 100%, To: L & C Investment Co., dba Shogun Japanese Restaurant, 4941 West Craig Road, Cholwon Lee, Dir, Treas, 50%, Bo Sun Lee, Pres, Secy, 50% - Ward 6 (Mack)
15. Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 4 slots subject to approval by the Nevada Gaming Commission, United Coin Machine Co., db at Mojave Plaza Laundromat, 27 North Mojave Road - Ward 3 (Reese)
16. Approval of a new Hypnotist License, John Gatesman, dba John Gatesman, 416 South Jones Blvd., John R. Gatesman, 100% - Ward 1 (M. McDonald)
17. Approval of a new Martial Arts Instruction Business License, Fernando Villalpando, dba Wolf School of Tae Kwon Do, 7024 West Charleston Blvd., Fernando Villalpando, 100% - Ward 1 (M. McDonald)
18. Approval of a new Massage Establishment License, Touch of Life, LLC, dba Touch of Life, 911 North Buffalo Drive, Suite 208, Sharon I. Padilla, Mmbr, 50%, Heather R. Criswell, Mmbr, 50% - Ward 4 (Brown)
19. Approval of a new Pistol Permit License, Kent G. Wagner, dba Kent's, 26 South Water Street, Suite A, Kent G. Wagner, 100% - Henderson
20. Approval of award of Bid Number 02.1730.26-RC, Vegas Drive/Owens Avenue, Rancho Drive to I-15 and approve the construction conflicts and contingency reserve set by Finance & Business Services - Department of Public Works - Award recommended to: FREHNER CONSTRUCTION COMPANY (\$11,588,472 - Regional Transportation Commission, Clark County Regional Flood Control District, Sanitation Fund, SID 1478) - Ward 5 (Weekly)
21. Approval to Award Bid Number 03.1730.03-RC, Durango Drive - Phase 2, Lone Mountain Road to Tropical Parkway and approve the construction conflicts & contingency reserve set by Finance & Business Services - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORPORATION (\$3,534,129 - Regional Transportation Commission) - Ward 6 (Mack)
22. Approval of award of Bid Number 030027-DAR, Open End Contract for Miscellaneous Vehicles - Department of Fire & Rescue - Award recommended to: FAIRWAY CHEVROLET for Lots 1, 2, 3, 6 & 7; BILL HEARD CHEVROLET for Lot 5; and GAUDIN FORD for Lot 4 (Aggregate amount of \$628,857 - Fire Equipment Acquisition Fund)
23. Approval of change order to Bid Number 01.15301.18-LED, Doolittle Community Center Renovation for additional equipment & additional work and increase the conflicts & contingency reserve - Department of Public Works - Award recommended to: RICHARDSON CONSTRUCTION, INC. (\$550,000 - Parks Capital Improvements Projects and 99 Parks Bonds) - Ward 5 (Weekly)
24. Approval of issuance of a purchase order for twelve (12) one-ton heavy duty utility trucks under the open end provision of Bid Number 020011-TC (DAR) - Department of Field Operations - Award recommended to: FAIRWAY CHEVROLET (\$349,512 - Internal Service Fund)
25. Approval of award of Contract CLV-03-0002 (LR) for Security and Operations Support Services at the Neonopolis Garage - Department of Field Operations - Award recommended to: FREMONT STREET EXPERIENCE PARKING CORPORATION (\$222,830 - Parking Enterprise Fund) - Ward 5 (Weekly)
26. Approval of revision number one to purchase order number 212909 (DAR) for the annual requirements contract for custodial services - Department of Field Operations - Award recommended to: BEST JANITORIAL SERVICES (\$200,000 - General Fund)
27. Approval of rejection of bid and award of Bid Number 030148-DAR, Open End Contract for one Asphalt Patch Truck - Department of Field Operations - Award recommended to: TRUCK CENTER OF NEVADA (\$106,253 - Internal Service Fund)

## **FINANCE & BUSINESS SERVICES DEPARTMENT - CONSENT**

28. Approval of award of Bid Number 030157-DAR, Annual Requirements Contract for Automotive Parts - Department of Field Operations - Award recommended to: CLARK COUNTY WHOLESALE (\$200,000 - General Fund) and CHARLESTON AUTO PARTS (\$100,000 - General Fund)
29. Approval of change order to Bid No. 01.15301.24-LED, Garehime Heights Park for skatepark components and additional landscaping - Department of Public Works - Award recommended to: LAS VEGAS PAVING CORP. (\$100,000 - Capital Projects Fund) - Ward 4 (Brown)
30. Approval of award of Bid Number 030010-CW, Annual Requirements Contract for Exercise Equipment - Various Departments - Award recommended to: ADVANTAGE FITNESS for Lots I-V; NEVADA FITNESS for Lot VI; ADVANCED EXERCISE EQUIPMENT for Lots VII and VIII (Estimated aggregate annual amount of \$85,000 - General Fund)
31. Approval of issuance of a blanket purchase order for an annual requirements contract for Custodial and Landscape Maintenance of the Downtown Post Office Building (DAR) - Department of Field Operations - Award recommended to: OPPORTUNITY VILLAGE (Estimated annual amount of \$80,000 - General Fund) - Ward 5 (Weekly)
32. Approval of revision number one to purchase order number 215173 to provide for contingency funding for an automatic fueling dispensing and key processing system under the terms and conditions of Request for Proposals 010029-JDF - Department of Field Operations - Award recommended to: SER-CON Inc. (\$50,000 - Internal Service Fund)
33. Approval of award of Bid Number 030149-DAR, James Gay Park Fescue Sod Installation - Department of Field Operations - Award recommended to: VALLEY SOD FARMS (\$32,400 - General Fund) - Ward 5 (Weekly)
34. Approval of revision number one to purchase order number 214372 for Loss Control Management Services (LR) to assist the City in developing and implementing an enhanced safety/loss control program - Department of Human Resources - Awarded recommended to: OHMS, A BLUE CROSS/BLUE SHIELD SUBSIDIARY (\$30,000 - Internal Service Fund)
35. Approval of rejection of all bids received for Bid Number 030014-DAR, Annual Requirements Contract for Alta Drive West Landscape Maintenance - Department of Public Works - Ward 1 (M. McDonald)

## **FIRE AND RESCUE DEPARTMENT - CONSENT**

36. Approval of the Federal Emergency Management Agency (FEMA) Emergency Management Preparedness Grant in the amount of \$129,006 (\$64,503 FEMA/\$64,503 City contribution - General Fund) - All Wards

## **HUMAN RESOURCES DEPARTMENT - CONSENT**

37. Approval to create one regular full time Customer Service Representative (CSR) position (\$19,200 - General Fund)

## **NEIGHBORHOOD SERVICES DEPARTMENT - CONSENT**

38. Approval of allocating Community Development Block Grant (CDBG) funds to BBC Research and Consulting to conduct an Analysis of Impediments to Fair Housing Study for compliance with Housing and Urban Development (HUD) federal regulations (\$55,250 - Community Development Block) - All Wards
39. Approval of the transfer of FY2002 HOPWA grant funds in the amount of \$41,815 from Pahrump Family Resource Center to Salvation Army - Ward 1 (M. McDonald)

## PUBLIC WORKS DEPARTMENT - CONSENT

40. Approval of a Declaration of Utilization from the Bureau of Land Management for portions of the Southwest Quarter (SW 1/4) of Section 18, the Northeast Quarter (NE 1/4) of Section 19 and the Northwest Quarter (NW 1/4) of Section 20, Township 19 South, Range 60 East, M.D.M., for road, sewer and drainage purposes generally located on the south side of Elkhorn Road between the Grand Canyon Drive alignment and the El Capitan Way alignment, and on the west side of Grand Canyon north of the Elkhorn Road alignment – APNs 125-18-403-003, 125-19-501-001, -002, -005, -007 and 125-20-101-001 through -005 – Ward 6 (Mack)
41. Approval to file an amendment to Right-of-Way Grant No. N-74862 with the Bureau of Land Management for an access road on portions of land lying within the Southeast Quarter (SE1/4) of Section 2, T20S, R59E, M.D.M., generally located on north side of the Alexander Road alignment, west of the Puli Road alignment – APN 137-02-000-001 - Ward 4 (Brown)
42. Approval to file a Right-of-Way Grant with the Bureau of Land Management for road, sewer and drainage purposes on portions of land lying within the Southwest Quarter (SW 1/4) of Section 6, the Northwest Quarter (NW 1/4) of Section 7 and the Northeast Quarter (NE 1/4) of Section 8, Township 20 South, Range 60 East, M.D.M., generally located on the north and south sides of Alexander Road between Hualapai Way and Durango Drive and the new Hualapai Way alignment between Alexander Road and Cheyenne Avenue (Alexander Road/Hualapai Way Road Improvements Project) - APNs 138-06-301-001, -401-006, -801-009, 138-07-201-010 and 138-08-501-005 - Ward 4 (Brown)
43. Approval of a Dedication from the City of Las Vegas, a Municipal Corporation for a portion of the Southeast Quarter (SE ¼) of Section 27, T20S, R61E, M.D.M., for street right-of-way and a sewer easement located on the northwest corner of Bonanza Road and 9th Street - APN 139-27-805-001 – Ward 5 (Weekly)
44. Approval of a Dedication from the City of Las Vegas, a Municipal Corporation for a portion of the Southeast Quarter (SE ¼) of Section 21, T20S, R61E, M.D.M., for street right-of-way, drainage easement and a pedestrian walkway easement located on the south side of Lake Mead Boulevard, east of Martin L. King Boulevard - APN 139-21-701-002-003 – Ward 5 (Weekly)
45. Approval of a Bill of Sale to the Las Vegas Valley Water District (LVVWD) for transfer of ownership of water distribution facilities installed in conjunction with the Lewis Avenue Corridor Improvements - Ward 5 (Weekly)
46. Approval of a task-oriented Professional Services Agreement with Stantec Consulting, Inc. for Engineering Services, Professional Surveying and Underground Utility Potholing (\$100,000 - City of Las Vegas, Regional Transportation Commission, Clark County Regional Flood Control District) - All Wards
47. Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - Acclaim Materials Testing & Inspection, LLP on behalf of William J. Papineau, owner (northwest corner of Cimarron Road and Red Coach Avenue, APN 138-04-103-012) - County (near Ward 4 - Brown)
48. Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - Christopher and Jessica Cave, owners (5975 North Campbell Road, APN 125-29-302-003) - County (near Ward 6 - Mack)
49. Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - CivilWorks, Inc. on behalf of Las Vegas Valley Water District, owner (southwest corner of Butler Street and Tropical Parkway, APN 125-28-303-001) - County (near Ward 4 - Brown)
50. Approval of an Encroachment Request from VTN Nevada, Incorporated, on behalf of Quarterhorse Falls II, LLC, owner (El Capitan Way between O'Hare Avenue and Log Cabin Way) - Ward 6 (Mack)
51. Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - Michael J. and Robin L. Gramly, owners (southwest corner of Butler Street and Helena Avenue, APN 138-04-301-018) - County (near Ward 4 - Brown)

## PUBLIC WORKS DEPARTMENT - CONSENT

52. Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - G.C. Wallace, Inc. on behalf of Silverstone I, L.P., c/o Pinnacle Homes, Inc., owners (southeast corner of El Capitan Way and Ann Road, APN 125-32-501-001, 125-32-501-002, 125-32-501-012, 125-32-501-013, 125-32-501-024 and 125-32-501-025) - County (near Ward 6 - Mack)
53. Approval of Contract Modification #1 with Capriati Construction, to install fifty additional water laterals as part of the Mayfair Neighborhood - Phase 2 project (\$70,000 - Las Vegas Valley Water District) - Ward 5 (Weekly)
54. Approval of Interlocal Agreement No. 108656 with the Las Vegas Valley Water District for water service for the Bonanza - Sandhill Park (\$208,667 - Residential Construction Tax) - Ward 3 (Reese)
55. Approval of a Designated Services Agreement with Western Technologies Inc. for the Special Inspection Services for the new Mirabelli Senior Center located at Hargrove and Garwood, within the existing Mirabelli Park site (\$35,168 - Clark County Interlocal Agreement) - Ward 1 (M. McDonald)
56. Approval of a Fifth Amendment to the Professional Services Agreement with VTN Nevada for professional services related to the continuation of engineering services in support of the construction of the Durango Drive Improvements - Lone Mountain Road to US-95 (\$150,000 - Regional Transportation Commission) - Ward 6 (Mack)
57. Approval of a Designated Services Agreement with KGA Architecture for preliminary design phases for the Office District Parking Garage located at 3rd Street, between Bonneville Avenue and Garces Avenue (\$446,000 - General Obligation Parking Bonds) - Ward 1 (M. McDonald)

## RESOLUTIONS - CONSENT

58. TABLED ITEM - R-105-2002 - Approval of a Resolution directing the City Treasurer to prepare the Seventy-First Assessment Lien Apportionment Report for Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
59. TABLED ITEM - R-106-2002 - Approval of a Resolution approving the Seventy-First Assessment Lien Apportionment Report for Special Improvement District No. 707 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
60. R-112-2002 - Approval of a Resolution directing the City Treasurer to prepare the Twenty-Second Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
61. R-113-2002 - Approval of a Resolution approving the Twenty-Second Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
62. R-114-2002 - Approval of a Resolution directing the City Treasurer to prepare the Twenty-Third Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
63. R-115-2002 - Approval of a Resolution approving the Twenty-Third Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
64. R-116-2002 - Approval of a Resolution directing the City Treasurer to prepare the Twenty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
65. R-117-2002 - Approval of a Resolution approving the Twenty-Fourth Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)

## RESOLUTIONS - CONSENT

66. R-118-2002 - Approval of a Resolution directing the City Treasurer to prepare the Twenty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
67. R-119-2002 - Approval of a Resolution approving the Twenty-Fifth Assessment Lien Apportionment Report for Special Improvement District No. 808 Summerlin Area (Levy Assessments) - Ward 2 (L.B. McDonald)
68. R-120-2002 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1478 - Vegas Drive (Rancho Drive to Interstate 15) (\$206,361.87 - Capital Projects Fund - Special Assessment) - Ward 5 (Weekly)

## REAL ESTATE COMMITTEE - CONSENT

69. Approval authorizing staff to amend a current lease application to be submitted to the Bureau of Land Management (BLM) for a Fire Training Center on the southwest corner of Deer Springs Way and Alpine Ridge Way to include an additional 30 acres - County (near Ward 6 - Mack)
70. Approval authorizing staff to apply for a land lease for a public park located on a portion of Parcel Number 126-13-701-001 in the vicinity of Hualapai Way and Farm Road with the Bureau of Land Management (BLM) (\$100 - Public Works/Real Estate/Rental of Land) - County (near Ward 6 - Mack)
71. Approval authorizing staff to apply for a land lease for a public park located on a portion of Parcel Number 126-24-201-002 in the vicinity of Deer Springs Way and Shaumber Road with the Bureau of Land Management (BLM) (\$100 - Public Works/Real Estate/Rental of Land) - County (near Ward 6 - Mack)
72. Approval of an Easement and Rights-of-Way between the City of Las Vegas (City) and the Las Vegas Valley Water District (LVVWD) for a fire hydrant to be located on Sandhill Road to serve the Bonanza Sandhill Ballfields, APN 140-31-102-002 - Ward 3 (Reese)
73. Approval of an Easement and Rights-of-Way between the City of Las Vegas (City) and the Las Vegas Valley Water District (LVVWD) for a fire hydrant to be located on Bonanza Road to serve the Bonanza Sandhill Ballfields, APN 140-31-102-002 - Ward 3 (Reese)
74. Approval of an Easement and Rights-of-Way between the City of Las Vegas (City) and the Las Vegas Valley Water District (LVVWD) for water lines and appurtenance(s) to serve the Bonanza Sandhill Ballfields, APN 140-31-102-002 - Ward 3 (Reese)
75. Approval authorizing staff to sell the home located at 8690 Azure to the highest qualified buyer - Ward 6 (Mack)
76. Approval of an Agreement for the Purchase and Sale of Real Property between The Arts Factory, LLC, and the City of Las Vegas for the sale of City owned parcel number 139-34-410-046 located at 123 East Charleston Boulevard - Ward 1 (M. McDonald)
77. Approval of a lease agreement with The Neon Museum, for lease of approximately 587 square feet of office space located at Reed Whipple Cultural Center, 821 Las Vegas Boulevard North - Ward 5 (Weekly)

## DISCUSSION / ACTION ITEMS

## ADMINISTRATIVE - DISCUSSION

78. Report from the City Manager on emerging issues

## CITY ATTORNEY - DISCUSSION

79. Discussion and possible action on Appeal of Work Card Denial: Robert Barragan, 1105 Princess Katy, Las Vegas, Nevada 89109
80. Discussion and possible action on Appeal of Work Card Denial: Dienesia Denice Paynes, 1001 W. McWilliams Avenue #52, Las Vegas, Nevada 89106
81. Discussion and possible action on Appeal of Work Card Denial: David S. Manes, 320 South 1st Street, Las Vegas, Nevada 89101
82. Discussion and possible action on Appeal of Work Card Denial: Bruce Joe Bolden, 1904 Holmes Street, Las Vegas, Nevada 89106
83. Hearing, discussion and possible action regarding disciplinary complaint against Abraham Ogbamichael and Mohamed Nagi Obeid al Dhali d/b/a Kings Market, 2333 North Martin Luther King Boulevard, Las Vegas, Clark County, Nevada, for violations of Title 6 of the Las Vegas Municipal Code – Ward 5 (Weekly)

## FINANCE & BUSINESS SERVICES DEPARTMENT - DISCUSSION

84. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale Liquor License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: KT Restaurants, Inc., LLC, dba Godfather's Pizza, Pat L. Kelley, Mmbr, 50%, Darren L. Taylor, Mmbr, 50%, To: Core Associates, Inc., dba Red Apple Grill, 3051 North Rainbow Blvd., John P. Baietti, Dir, Pres, Secy, Treas, 83% - Ward 6 (Mack)
85. Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, From: Gemini, Inc., dba Lady Luck Casino, John M. Gallaway, Dir, Pres, Secy, Treas, LL Holding Corporation, 100%, a wholly owned subsidiary of Isle of Capri Casinos, Inc., PTC, Bernard Goldstein, Dir, COB, CEO, John M. Gallaway, Dir, Pres, COO, Allan B. Solomon, Dir, EVP, General Counsel, Secy, Rexford A. Yeisley, SVP, CFO, Treas, Timothy M. Hinkley, SVP Operations, To: Hospitality Systems, LLC, dba Lady Luck, 206 North 3rd Street, Martin R. Gross, VP, COO, Hospitality Systems Management, LLC, Mmbr, 24.5%, Investment Advisory Consultants, LLC, Mmbr, 24.5%, Beacon Bay Holdings, LLC, Mmbr, 51% - Ward 5 (Weekly)
86. Discussion and possible action regarding a Six Month Review of an Independent Massage Therapist License, Rogelio M. Blanco, Jr., dba Rogelio M. Blanco, Jr., 217 Fig Court, Rogelio M. Blanco, Jr., 100% - Ward 2 (L.B. McDonald)
87. Discussion and possible action regarding a moratorium on the issuance of new licenses and change of location to existing licenses for payday loan, check cashing and auto title loan businesses

## LEISURE SERVICES DEPARTMENT - DISCUSSION

88. ABEYANCE ITEM - Report on the status of the Community Schools Transition Plan

## NEIGHBORHOOD SERVICES DEPARTMENT - DISCUSSION

89. Discussion and possible action regarding an Agreement between the Economic Opportunity Board of Clark County's Child Care Assistance Division (EOB CCAD) and the City of Las Vegas awarding the City \$280,000 in Child Care Improvement Grant (CCIG) funds - All Wards

## **PLANNING & DEVELOPMENT DEPARTMENT - DISCUSSION**

90. Discussion and possible action on the recommendation of lands to be disposed of by the Bureau of Land Management (BLM) in the November 2003 Public Sale - Wards 4 and 6 (Brown and Mack)
91. Discussion and possible action on the Agreement regarding Conformity of City of Las Vegas Plans With the Southern Nevada Regional Policy Plan - All Wards

## **PUBLIC WORKS DEPARTMENT - DISCUSSION**

92. ABEYANCE ITEM - Report on the Bonneville/Clark and Casino Center/Fourth Street One-Way Couplet Project - Wards 1 and 5 (M. McDonald and Weekly)

## **RESOLUTIONS - DISCUSSION**

93. R-121-2002 - Discussion and possible action regarding a Resolution reestablishing the Traffic Signal Capital Improvements Advisory Committee in conjunction with the City's Traffic Signal Capital Improvements Plan
94. R-122-2002 - Public hearing and possible action regarding a temporary interfund loan from the City Facilities Capital Projects Fund (CPF) to the City's Affordable Housing Special Revenue Fund in an amount not to exceed \$2,000,000 for a period not to exceed one year - Ward 1 (M. McDonald)

## **BOARDS & COMMISSIONS - DISCUSSION**

95. ABEYANCE ITEM - PARK & RECREATION ADVISORY COMMISSION – Cedric Cole, Term Expiration 3-24-2003 (Resigned)
96. Discussion and possible action on the appointment of nine committee members to the Traffic Signal Capital Improvements Advisory Committee - All Wards

## **REAL ESTATE COMMITTEE - DISCUSSION**

97. Discussion and possible action on a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Diane and Stanley Kloza for real property consisting of 40 separate parcels depicted on Exhibit "B" on purchase contract located within Shalimar Gardens, in the vicinity of Laurelhurst Drive and Westmoreland Drive, for \$1,600,000 plus closing costs - Affordable Housing Special Revenue Fund (SRF) - Ward 1 (M. McDonald)
98. Discussion and possible action on a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Felice and Tara M. Baldasarro, Co-Trustees of the Baldasarro 2000 Community Property Trust for real property known as Parcel Number 138-25-515-007 located at 1509 Laurelhurst Drive Unit 7 for \$54,000 plus closing costs - Affordable Housing Special Revenue Fund (SRF) - Ward 1 (M. McDonald)
99. Discussion and possible action on a Purchase Contract between Priority One Commercial (on behalf of the City of Las Vegas) and Charles E. and Sharon Sinky for real property known as Parcel Number 138-25-515-005 located at 1509 Laurelhurst Drive Unit 5 for \$52,000 plus closing costs - Affordable Housing Special Revenue Fund (SRF) - Ward 1 (M. McDonald)
100. Discussion and possible action to direct staff to proceed with the process of amending the Covenants, Conditions and Restrictions for the Las Vegas Technology Center to permit the sale of the open space common areas totaling approximately 7.0 acres (APN#138-15-710-028, APN#138-15-810-013) - Ward 4 (Brown)

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

101. Bill No. 2002-105 – Adopts the 2003 Edition of the Southern Nevada Pool Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
102. Bill No. 2002-106 – Adopts the 2000 Edition of the Uniform Plumbing Code, together with amendments thereto, as the City's Plumbing Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
103. Bill No. 2002-107 – Adopts the 2002 Edition of the National Electrical Code, together with amendments and supplementary material. Proposed by: Paul K. Wilkins, Director of Building and Safety
104. Bill No. 2002-108 – Adopts the 2000 Edition of the Uniform Mechanical Code and certain Appendices, together with amendments thereto, as the City's Mechanical Code. Proposed by: Paul K. Wilkins, Director of Building and Safety
105. Bill No. 2002-109 – Adopts the Conservation Element of the Las Vegas 2020 Master Plan. Proposed by: Robert S. Genzer, Director of Planning and Development
106. Bill No. 2002-110 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered, Negotiable, General Obligation (Limited Tax) Fire Refunding Bonds, Series 2002C, not to exceed the amount necessary to effect the Refunding Project plus the cost of issuance of the Bonds, for the purpose of achieving interest rate savings - Proposed by: Mark Vincent, Director of Finance & Business Services - Various Wards
107. Bill No. 2002-111 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered, Negotiable, General Obligation (Limited Tax) Sewer Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002B, not to exceed the amount necessary to effect the Refunding Project, for the purpose of achieving interest rate savings - Proposed by: Mark Vincent, Director of Finance & Business Services - Various Wards
108. Bill No. 2002-112 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered, Negotiable, General Obligation (Limited Tax) Transportation Refunding Bonds (Additionally Secured by Pledged Revenues), Series 2002D, not to exceed the amount necessary to effect the Refunding Project, for the purpose of achieving interest rate savings - Proposed by: Mark Vincent, Director of Finance & Business Services - Various Wards
109. Bill No. 2002-113 – Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered, Negotiable, General Obligation (Limited Tax) Parking Bonds (Additionally Secured by Pledged Revenues), Series 2002A, not to exceed \$25,000,000, for the purpose of defraying wholly or in part the cost of acquiring, constructing, reconstructing, improving and equipping building projects in the City, including without limitation, buildings to accommodate offstreet parking projects - Proposed by: Mark Vincent, Director of Finance & Business Services - Ward 3 (Reese) NOTE: The correct Ward designation is Ward 1 (M. McDonald)
110. Bill No. 2002-116 – Annexation No. A-0014-02(A) – Property location: On the south side of Lone Mountain Road, 670 feet east of Puli Road; Petitioned by: Southwest Desert Equities, LLC; Acreage: 5.38 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Larry Brown
111. Bill No. 2002-117 – Annexation No. A-0021-02(A) – Property location: On the southwest corner of Fort Apache Road and Deer Springs Road; Petitioned by: SPKQL8R, LLC; Acreage: 5.05 acres; Zoned: R-E (County zoning), U (L-TC) (City equivalent). Sponsored by: Councilman Michael Mack
112. Bill No. 2002-119 – Annexation No. A-0027-02(A) – Property location: On the south side of Lone Mountain Road, 330 feet east of Puli Road; Petitioned by: William Parker; Acreage: 5.39 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack
113. Bill No. 2002-121 - Bond Ordinance providing for the issuance by the City of Las Vegas of its Taxable General Obligation (Limited Tax) Fremont Street Experience Refunding Bonds (Additionally Secured with Pledged Revenues) Series 2002, not to exceed the amount necessary to effect the Refunding Project, for the purpose of achieving interest rate savings - Proposed by: Mark Vincent, Director of Finance & Business Services - Ward 1 (M. McDonald) NOTE: The correct Ward designation is Wards 1 and 5 (M. McDonald and Weekly)

## RECOMMENDING COMMITTEE REPORTS - DISCUSSION

### BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.**

114. Bill No. 2002-114 – Annexation No. A-0010-02(A) – Property location: 330 feet south of Alexander Road and 1,400 feet west of Hualapai Way; Petitioned by: Southwest Desert Equities, LLC; Acreage: 2.64 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Larry Brown
115. Bill No. 2002-115 – Annexation No. A-0012-02(A) – Property location: 290 feet south of Alexander Road and 300 feet west of Cimarrón Road; Petitioned by: Alexander and Phillip Mackovski; Acreage: 2.66 acres; Zoned: R-E (County zoning), U (ML) (City equivalent). Sponsored by: Councilman Larry Brown
116. Bill No. 2002-118 – Annexation No. A-0026-02(A) – Property location: On the east side of Fort Apache Road, 660 feet south of Elkhorn Road; Petitioned by: David B. Ober Family Trust, et al.; Acreage: 5.09 acres; Zoned: R-E (County zoning), U (ML-TC) (City equivalent). Sponsored by: Councilman Michael Mack
117. Bill No. 2002-120 – Annexation No. A-0028-02(A) – Property location: On the northwest corner of Jones Boulevard and Horse Drive; Petitioned by: Miceli Family Trust, et al.; Acreage: 10.56 acres; Zoned: R-E / RNP 1 (County zoning), U (DR) (City equivalent). Sponsored by: Councilman Michael Mack

## NEW BILLS

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.**

118. Bill No. 2002-122 - Bond Ordinance providing for the issuance by the City of Las Vegas of its Registered Local Improvement District Bonds Series 2002, for Special Improvement District (SID) numbers 1463, 1470, 1471, 1473, 1477 in an amount not to exceed \$4,750,500 - Various Wards
119. Bill No. 2002-123 – Annexation No. A-0003-02(A) – Property location: On the west side of Jones Boulevard, approximately 1,300 feet north of Cheyenne Avenue; Petitioned by: Kenneth and Myrna Christensen; Acreage: 0.74 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack
120. Bill No. 2002-124 – Annexation No. A-0004-02(A) – Property location: On the south side of Oakey Boulevard, 600 feet east of Jones Boulevard; Petitioned by: John Rohay; Acreage: 0.72 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael McDonald
121. Bill No. 2002-125 – Annexation No. A-0006-02(A) – Property location: On the northwest corner of Rainbow Boulevard and Farm Road; Petitioned by: Ralph L. and Marcella V. Cooper 1992 Living Trust; Acreage: 2.52 acres; Zoned: R-E/RNP-1 (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack
122. Bill No. 2002-126 – Annexation No. A-0007-02(A) – Property location: Near the southeast corner of O'Bannon Drive and Mohawk Street; Petitioned by: Charlene Williams, et al.; Acreage: 1.27 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael McDonald
123. Bill No. 2002-127 – Annexation No. A-0022-02(A) – Property location: On the east side of Queen Irene Court, 200 feet south of Regena Avenue; Petitioned by: City of Las Vegas, as previous owner; Acreage: 0.46 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

## NEW BILLS

**THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.**

124. Bill No. 2002-128 – Annexation No. A-0023-02(A) – Property location: On the north side of Wittig Avenue, 660 feet east of Grand Canyon Drive; Petitioned by: Pardee Homes of Nevada; Acreage: 2.52 acres; Zoned: R-E (County zoning), U (L) (City equivalent). Sponsored by: Councilman Michael Mack
125. Bill No. 2002-129 – Designates Neighborhood Services as the departmental liaison for the Senior Citizens Advisory Board. Proposed by: Elizabeth Fretwell, Deputy City Manager
126. Bill No. 2002-130 – Updates various design standards adopted as part of the Downtown Centennial Plan and applicable to the Downtown Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development
127. Bill No. 2002-131 – Updates the zoning regulations pertaining to temporary commercial uses. Proposed by: Robert S. Genzer, Director of Planning and Development
128. Bill No. 2002-132 – Allows the sale of motorcycles and motor scooters in the C-1 Zoning District by means of special use permit. Proposed by: Robert S. Genzer, Director of Planning and Development
129. Bill No. 2002-133 – Adopts the latest revision to the Uniform Regulations for the Control of Drainage. Proposed by: Richard D. Goecke, Director of Public Works

## 1:00 P.M. - AFTERNOON SESSION

130. Any items from the afternoon session that the Council, staff and/or the applicant wishes to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

## PUBLIC HEARINGS - DISCUSSION

131. Public hearing to consider the report of expenses to recover costs for abatement of a dangerous building located at 3936 Alameda Avenue. PROPERTY OWNER: JASON DUCKSWORTH - Ward 3 (Reese)

## PLANNING & DEVELOPMENT DEPARTMENT

The items listed below, where appropriate, have been reviewed by the various City departments relative to requirements for storm drainage and flood control, connection to sanitary sewer, traffic circulation, and building and fire regulations. Their comments and/or recommendations and requirements have been incorporated into the action.

## PLANNING & DEVELOPMENT DEPARTMENT – CONSENT

**PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.**

132. EXTENSION OF TIME - VARIANCE - V-0032-00(1) - CITY OF LAS VEGAS HOUSING AUTHORITY - Request for an Extension of Time of an approved Variance (V-0032-00) which allowed a reduction of the minimum residential lot size on 8.88 acres located adjacent to the northeast corner of 28th Street and Sunrise Avenue (APN: 139-36-303-003), R-2 (Medium-Low Density Residential) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
133. EXTENSION OF TIME - VARIANCE - V-0034-00(1) - CITY OF LAS VEGAS HOUSING AUTHORITY - Request for an Extension of Time of an approved Variance (V-0034-00) which allowed a reduction in required setbacks on 8.88 acres located adjacent to the northeast corner of 28th Street and Sunrise Avenue (APN: 139-36-303-003), R-2 (Medium-Low Density Residential) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

134. SITE DEVELOPMENT PLAN REVIEW - SD-0046-02 - REVIEW REQUESTED BY THE CITY COUNCIL FOR THE APPLICATION OF MARY BARTSAS ON BEHALF OF SUBWAY OF NEVADA LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Reduction of the On-Site Landscape Requirements FOR A PROPOSED FAST FOOD RESTAURANT WITH DRIVE THROUGH on 0.55 acres located on property at 3201 North Rancho Road (APN: 138-12-801-011), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (5-1 vote) and staff recommended APPROVAL
135. WAIVER OF THE SUBDIVISION STANDARDS (TITLE 18) - PUBLIC HEARING - WVR-0005-02 - PARDEE HOMES OF NEVADA - Request for a Waiver of the Subdivision Standards (Title 18) TO ALLOW FOR EIGHT MODEL HOMES WHERE SIX ARE THE MAXIMUM ALLOWED AND TO ALLOW A TEMPORARY TRELLIS STRUCTURE TO OCCUPY TWO ADJOINING PARCELS on property located adjacent to the northeast corner of Tee Pee Lane and Severance Lane (APNs: 125-18-701-012 and 014), U (Undeveloped) Zone [(TC (Town Center) General Plan Designation)] under Resolution of Intent to T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL
136. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0137-94(5) - RONALD AND JUDITH VITTO, ET AL ON BEHALF OF JAMES E. STROH, ARCHITECTS, INC. - Request for a Site Development Plan Review and a Reduction in Parking Lot Landscaping Requirements FOR A MIXED USE DEVELOPMENT CONSISTING OF 72,171 SQUARE FEET OF OFFICE SPACE AND 29,440 SQUARE FEET OF RETAIL SPACE on 7.86 acres adjacent to the west side of Rancho Drive approximately 600 feet south of Craig Road (APN: 138-02-701-009), R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to C-2 (General Commercial), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

137. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0072-00(2) - CITY OF LAS VEGAS ON BEHALF OF CHARTER SCHOOL DEVELOPMENT FOUNDATION - Request for a Site Development Plan Review FOR A 57,838 SQUARE FOOT ADDITION TO THE ANDRE AGASSI COLLEGE PREPARATORY ACADEMY CONSISTING OF A 4,406 SQUARE FOOT ADDITION TO AN EXISTING ELEMENTARY SCHOOL, A 26,203 SQUARE FOOT MIDDLE SCHOOL, AND A 27,229 SQUARE FOOT MULTI-PURPOSE BUILDING on 7.96 acres at 1201 Lake Mead Boulevard (APN: 139-21-702-001, 002, 003, 004, 005, and 139-21-701-003), R-E (Residence Estates) Zone under Resolution of Intent to C-V (Civic), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL
138. SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - Z-0044-01(1) - BUFFALO WASHINGTON, LIMITED LIABILITY COMPANY ON BEHALF OF THE LONGFORD GROUP - Request for a Site Development Plan Review and a Reduction in the Amount of On-site Landscape Requirements FOR A 110,282 SQUARE FOOT MEDICAL OFFICE COMPLEX on 5.06 acres adjacent to the east side of the Buffalo Drainage Channel, approximately 1,500 feet south of Washington Avenue (APN: 138-27-301-012 and a portion of 138-27-301-013), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 2 (L.B. McDonald). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL
139. MASTER SIGN PLAN - PUBLIC HEARING - MSP-0008-02 - MONEYTREE, INC. ON BEHALF OF ROBERT BALLEW - Request for a Master Sign Plan FOR AN APPROVED FINANCIAL INSTITUTION at 2950 West Sahara Avenue (APN: 162-05-816-006), R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (7-0 vote) and staff recommend APPROVAL
140. VACATION - PUBLIC HEARING - VAC-0064-02 - U.S. HOME CORPORATION - Petition to vacate a portion of Maverick Street between Elkhorn Road and Eisner Drive and Severance Lane from Jones Boulevard to Maverick Street, Ward 6 (Mack). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
141. VACATION - PUBLIC HEARING - VAC-0065-02 - EL CAPITAN ASSOCIATES, LIMITED LIABILITY COMPANY - Petition to vacate U.S. Government Patent Reservations generally located west of El Capitan Way, approximately 660 feet north of Deer Springs Way, Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
142. VACATION - PUBLIC HEARING - VAC-0066-02 - McNAMEE FAMILY PARTNERSHIP - Petition to vacate a portion of Al Carrison Street (Silk Purse Road) and an unnamed right-of-way generally located south of Racel Street, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
143. VACATION - PUBLIC HEARING - VAC-0067-02 - LOG CABIN WAY, LIMITED PARTNERSHIP - Petition to vacate a portion of Leon Avenue between Iron Mountain Road and Gilbert Lane, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
144. VACATION - PUBLIC HEARING - VAC-0068-02 - M.B. HOLDINGS, LIMITED LIABILITY COMPANY ON BEHALF OF KB HOME NEVADA, INC. - Petition to vacate U.S. Government Patent Reservations generally located adjacent to the north side of Alexander Road, approximately 700 feet west of Vegas Vista Trail, Ward 4 (Brown). The Planning Commission (4-0-2 vote) and staff recommend APPROVAL
145. VACATION - PUBLIC HEARING - VAC-0069-02 - P N II, INC. - Petition to vacate public utility easements generally located north of Grand Teton Drive, west of Rainbow Boulevard, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL
146. VACATION - PUBLIC HEARING - VAC-0070-02 - CORNERSTONE COMPANY ON BEHALF OF CHETAK DEVELOPMENT - Petition of Vacation to vacate a public alley generally located north of Sahara Avenue, west of Paradise Road, Ward 3 (Reese). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL
147. VACATION - PUBLIC HEARING - VAC-0071-02 - SALVATION ARMY - Petition of Vacation to vacate a portion of Public Right-Of-Way located on the south side of Owens Avenue, east of the Union Pacific Railroad, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

148. REQUIRED TWO YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-0086-95(2) - RANDY BLACK, SR. ON BEHALF OF SUSA PARTNERSHIP - Required Two Year Review of an approved Variance WHICH ALLOWED AN OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RAISED TO A HEIGHT OF 55 FEET, AND ALLOWED THE SIGN TO BE 150 FEET FROM RESIDENTIAL ZONING DISTRICT WHERE 300 FEET IS THE MINIMUM SEPARATION ALLOWED at 1399 North Rainbow Boulevard (APN: 138-27-502-007), C-1 (Limited Commercial) Zone, Ward 2 (L.B. McDonald). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL
149. REQUIRED FIVE YEAR REVIEW - VARIANCE - PUBLIC HEARING - V-0066-97(1) - REESE FAMILY TRUST - Required Five Year Review of an approved Variance WHICH ALLOWED AN EXISTING 55 FOOT HIGH NON-CONFORMING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RAISED TO A HEIGHT OF 85 FEET WHICH IS 60 FEET ABOVE THE ELEVATED FREEWAY GRADE WHERE 30 FEET ABOVE THE ELEVATED GRADE IS THE MAXIMUM HEIGHT ALLOWED; AND TO ALLOW THE BILLBOARD 520 FEET FROM AN EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AND 30 FEET FROM AN "R" DESIGNATED DISTRICT WHERE 750 FEET AND 300 FEET ARE THE MINIMUM DISTANCE SEPARATIONS REQUIRED at 616 "H" Street (APN: 139-27-310-069), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
150. ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - V-0037-02 - I AND K HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Variance to allow three parking spaces where the proposed uses require 14 parking spaces on property located at 2111 South Maryland Parkway (APN: 162-02-410-072), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-1 vote) and staff recommend APPROVAL
151. ABEYANCE ITEM - VARIANCE RELATED TO V-0037-02 - PUBLIC HEARING - V-0038-02 - I AND K HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Variance to allow an existing building zero feet from the side property line, where five feet is the minimum setback required on property located at 1205 Exley Avenue (APN: 162-02-410-071), R-2 (Medium-Low Density Residential) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL
152. ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO V-0037-02 AND V-0038-02 - PUBLIC HEARING - U-0073-02 - I AND K HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit TO ALLOW A PSYCHIC ARTS BUSINESS on property located at 2111 South Maryland Parkway (APN: 162-02-410-072), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-1 vote) and staff recommend APPROVAL
153. VARIANCE - PUBLIC HEARING - V-0057-02 - ROBERT AND VIRGINIA GOOD - Request for a Variance TO ALLOW 82 PARKING SPACES WHERE 138 PARKING SPACES ARE REQUIRED FOR A MIX OF EXISTING AND PROPOSED USES on property located at 901 South Rancho Drive (APN: 139-32-804-001), PD (Planned Development) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
154. VARIANCE - PUBLIC HEARING - V-0063-02 - RAFAEL RUIZ - Appeal filed by Rafael Ruiz from the Denial by the Planning Commission on a Request for a Variance TO ALLOW CONSTRUCTION OF AN ADDITION EIGHT FEET FROM THE REAR PROPERTY LINE, WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED on property located at 1230 South Seventh Street (APN: 162-03-515-007), R-1 (Single Family Residential) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
155. VARIANCE - PUBLIC HEARING - V-0067-02 - VALERIE L JUICK - Appeal filed by Valerie Juick from the denial by the Planning Commission on a request for a Variance TO ALLOW A 28-FOOT FRONT YARD SETBACK, WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED for a proposed attached garage addition on property located at 5112 Royer Ranch Road (APN: 125-33-302-005), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (5-1 vote) and staff recommend DENIAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

- 156.VARIANCE - PUBLIC HEARING - V-0068-02 - SCHNIPPEL FAMILY LIMITED PARTNERSHIP ON BEHALF OF NEVADA HAND - Request for a Variance TO ALLOW 80 PARKING SPACES, WHERE 116 SPACES ARE THE MINIMUM REQUIRED in conjunction with a proposed high density residential senior housing development (Bonanza Pines) on 3.14 acres, located adjacent to the north side of Bonanza Road, approximately 1,000 feet east of Sandhill Road (APN: 140-30-802-006), R-E (Residence Estates) Zone under Resolution of Intent to R-PD25 (Residential Planned Development - 25 Units per Acre), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
- 157.VARIANCE - PUBLIC HEARING - V-0070-02 - JOHN AMORE - Request for a Variance TO ALLOW FOR A FOUR-FOOT FRONT YARD SETBACK WHERE TWENTY FEET IS THE MINIMUM REQUIRED AND A 4.5-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS THE MINIMUM REQUIRED for an existing carport on 0.11 acres located at 620 Princeton Street (APN: 138-25-713-135), R-1 (Single Family Residential) Zone, Ward 1 (M. McDonald). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
- 158.REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0027-95(2) - STEVEN AND RAYNELL PHILLIPS ON BEHALF OF LAMAR OUTDOOR ADVERTISING - Required Two Year Review on an approved Special Use Permit WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the southeast corner of Charleston Boulevard and Redwood Street (APN: 163-02-104-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation], Ward 1 (M. McDonald). The Planning Commission (4-3 vote) and staff recommend APPROVAL
- 159.REQUIRED TWO YEAR REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0041-95(2) - BOYS CLUB OF CLARK COUNTY, INC. ON BEHALF OF LAMAR OUTDOOR ADVERTISING - Required Two Year Review of an approved Special Use Permit WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2800 Marlin Avenue (APN: 139-36-213-001), R-4 (High Density Residential) Zone, Ward 3 (Reese). The Planning Commission (5-2 vote) and staff recommend APPROVAL
- 160.SPECIAL USE PERMIT - PUBLIC HEARING - U-0115-02 - DANA KANNE, ET AL ON BEHALF OF PMD ASSOCIATES, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR PRIVATE STREETS WITHIN A PROPOSED SINGLE FAMILY DEVELOPMENT adjacent to the west side of Torrey Pines Drive, approximately 600 feet north of Ann Road (APN: 125-26-403-013), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 161.SPÉCIAL USE PERMIT - PUBLIC HEARING - U-0117-02 - LODGE LAS VEGAS SHRINE ON BEHALF OF LUIS PEDEMONTE - Request for a Special Use Permit FOR A WAIVER OF THE MINIMUM 400-FOOT SEPARATION REQUIREMENT FROM A CITY PARK FOR A RESTAURANT SERVICE BAR IN CONJUNCTION WITH AN EXISTING RESTAURANT at 2319 South Eastern Avenue (APN: 162-01-401-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
- 162.SPECIAL USE PERMIT - PUBLIC HEARING - U-0119-02 - I RENT B & E, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PAWN SHOP on property located at 520 North Eastern Avenue (APN: 139-36-110-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-2 vote) and staff recommend APPROVAL
- 163.SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0119-02 - PUBLIC HEARING - SD-0041-02 - I RENT B & E, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Reduction of the On-Site Landscape Requirements FOR A PROPOSED RETAIL BUILDING ADDITION on 0.55 acres, located at 520 North Eastern Avenue (APN: 139-36-110-004), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-2 vote) and staff recommend APPROVAL
- 164.SPECIAL USE PERMIT - PUBLIC HEARING - U-0121-02 - MELVIN AND DARLA TURNER ON BEHALF OF TELOS ENTERPRISES INC. - Request for a Special Use Permit FOR RECREATIONAL VEHICLE/BOAT STORAGE on property located at 1721 North Decatur Boulevard (APNs: 138-24-804-005, 006 and 017), U (Undeveloped) Zone [GC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, and R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

165. REZONING - PUBLIC HEARING - Z-0061-02 - KB HOME NEVADA, INC., ET AL - Request for a Rezoning FROM: U (Undeveloped) [L (Low Density Residential) and ML (Medium-Low Density Residential) General Plan Designations] TO: R-PD5 (Residential Planned Development - 5 Units Per Acre) and R-PD8 (Residential Planned Development - 8 Units Per Acre) on approximately 20.0 acres adjacent to the southwest corner of Tenaya Way and Craig Road (APN: 138-03-303-003), Ward 4 (Brown). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
166. REZONING RELATED TO Z-0061-02 - PUBLIC HEARING - Z-0078-02 - KB HOME NEVADA, INC. - Request for a Rezoning FROM: U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units Per Acre) TO: R-PD8 (Residential Planned Community – 8 Units Per Acre) of approximately 29 acres adjacent to the west side of Tenaya Way between Craig Road and Alexander Road (a portion of APN: 138-03-402-002), Ward 4 (Brown). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
167. VARIANCE RELATED TO Z-0061-02 AND Z-0078-02 - PUBLIC HEARING - V-0051-02 - KB HOME NEVADA, INC., ET AL - Request for a Variance TO ALLOW 4.71 ACRES OF OPEN SPACE WHERE 9.75 ACRES IS THE MINIMUM REQUIRED on approximately 80 acres at the southwest corner of Tenaya Way and Craig Road (APN: 138-03-303-003 and a portion of 138-03-402-002), U (Undeveloped) Zone [L (Low Density Residential) and ML (Medium-Low Density Residential) General Plan Designations] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre), R-PD7 (Residential Planned Development - 7 Units Per Acre) and U (Undeveloped) Zone [L (Low Density Residential) and ML (Medium-Low Density Residential) General Plan Designations] [PENDING: R-PD5 (Residential Planned Development - 5 Units Per Acre) and R-PD8 (Residential Planned Development - 8 Units Per Acre)] Ward 4 (Brown). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
168. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0061-02, Z-0078-02 AND V-0051-02 - PUBLIC HEARING - Z-0061-02(1), Z-0076-01(2) and Z-0078-02(1) - KB HOME NEVADA, INC., ET AL - Request for a Site Development Plan Review FOR A SINGLE-FAMILY RESIDENTIAL SUBDIVISION on approximately 60 acres adjacent to the southwest corner of Tenaya Way and Craig Road (APN: 138-03-303-003 and a portion of 138-03-402-001), U (Undeveloped) Zone [L (Low Density Residential) and ML (Medium-Low Density Residential) General Plan Designations] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre) and R-PD7 (Residential Planned Development - 7 Units Per Acre) and U (Undeveloped) Zone [L (Low Density Residential) and ML (Medium-Low Density Residential) General Plan Designations] PENDING: R-PD5 (Residential Planned Development - 5 Units Per Acre) and R-PD8 (Residential Planned Development - 8 Units Per Acre), Ward 4 (Brown). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL
169. ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-0054-02 - NELLIS LAND COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development, 5 Units per Acre) of 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive (APN:140-29-801-004), Ward 3 (Reese). The Planning Commission (5-2 vote) and staff recommend APPROVAL
170. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0054-02 - PUBLIC HEARING - Z-0054-02(1) - NELLIS LAND COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 37-LOT RESIDENTIAL SUBDIVISION on 7.65 acres adjacent to the northeast corner of Bonanza Road and Marion Drive (APN:140-29-801-004), PROPOSED R-PD5 (Residential Planned Development - 5 Units per Acre) Zone, Ward 3 (Reese). The Planning Commission (5-2 vote) and staff recommends APPROVAL
171. REZONING - PUBLIC HEARING - Z-0065-02 - SHIRON CORPORATION - Request for a Rezoning FROM: U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] TO: R-PD2 (Residential Planned Development - 2 Units Per Acre) on approximately 10 acres adjacent to the southwest corner of Rome Boulevard and Tenaya Way (APN: 125-22-404-002), PROPOSED USE: 20-LOT SINGLE FAMILY SUBDIVISION, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

172. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0065-02 - PUBLIC HEARING - Z-0065-02(1) - SHIRON CORPORATION - Request for a Site Development Plan Review FOR A 20-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on approximately 10 acres adjacent to the southwest corner of Rome Boulevard and Tenaya Way (APN: 125-22-404-002), U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL
173. ABEYANCE ITEM - REZONING - PUBLIC HEARING - Z-0069-02 - CONCORDIA HOMES NEVADA, INC. - Request for a Rezoning FROM: U (Undeveloped) Zone [ML-TC (Medium Low Density Residential - Town Center) General Plan Designation] TO: TC (Town Center) on approximately 20.27 acres located adjacent to the northwest and southeast corners of Deer Springs Way and Campbell Road (APNs: 125-20-301-006 and 007, 125-20-201-011 and 012), PROPOSED USE: 142-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION, Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
174. ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0069-02 - PUBLIC HEARING - Z-0069-02(1) - CONCORDIA HOMES NEVADA, INC. - Request for a Site Development Plan Review FOR A 142-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on approximately 20.27 acres located adjacent to the northwest and southeast corners of Deer Springs Way and Campbell Road (APNs: 125-20-301-006 and 007, 125-20-201-011 and 012), U (Undeveloped) Zone [ML-TC (Medium Low Density Residential - Town Center) General Plan Designation], [PROPOSED: T-C (Town Center)], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL
175. REZONING - PUBLIC HEARING - Z-0070-02 - GREATER NEW JERUSALEM MISSIONARY BAPTIST CHURCH - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-V (Civic) on 1.3 acres at 302, 306, 308, and 400 Jefferson Avenue and 1100 and 1122 "D" Street (APN: 139-27-211-024, 025, 027, 028, 029, 030 and 031), PROPOSED USE: FAMILY LIFE CENTER IN CONJUNCTION WITH AN EXISTING CHURCH, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend APPROVAL
176. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0070-02 - PUBLIC HEARING - Z-0070-02(1) - GREATER NEW JERUSALEM MISSIONARY BAPTIST CHURCH - Request for a Site Development Plan Review and a Reduction in the Perimeter Landscaping Requirements FOR A 1,300 SQUARE FOOT FAMILY LIFE CENTER WITHIN AN EXISTING BUILDING on 0.17 acres at 308 Jefferson Avenue (APN: 139-27-211-029), R-4 (High Density Residential) Zone [PROPOSED: C-V (Civic)], Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend APPROVAL
177. REZONING - PUBLIC HEARING - Z-0076-02 - ROSE GRAVANTE ON BEHALF OF RL HOMES - Request for a Rezoning FROM: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] TO: R-PD7 (Residential Planned Development - 7 Units per Acre) on 5.0 acres located adjacent to the south side of Gilmore Avenue, approximately 950 feet east of Grand Canyon Drive (APN: 138-07-601-003), PROPOSED USE: 34-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL
178. VARIANCE RELATED TO Z-0076-02 - PUBLIC HEARING - VAR-1006 - ROSE GRAVANTE ON BEHALF OF RL HOMES - Request for a Variance TO ALLOW NO OPEN SPACE WHERE 0.56 ACRES IS REQUIRED FOR A PROPOSED 34-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION adjacent to the south side of Gilmore Avenue, approximately 950 feet east of Grand Canyon Drive (APN: 138-07-601-003) [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre) Zone], Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL
179. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0076-02 AND VAR-1006 - PUBLIC HEARING - SDR-1022 - ROSE GRAVANTE ON BEHALF OF RL HOMES - Request for a Site Development Plan Review and a Waiver of the six-foot Perimeter Landscape Requirement FOR A 34-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 5.0 acres adjacent to the south side of Gilmore Avenue, approximately 950 feet east of Grand Canyon Drive (APN: 138-07-601-003) [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre) Zone], Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL

## PLANNING & DEVELOPMENT DEPARTMENT – DISCUSSION

180. REZONING - PUBLIC HEARING - Z-0080-02 - PATRICK AND CECILIA DIFFER - Request for a Rezoning FROM: R-2 (Medium-Low Density Residential) TO: R-3 (Medium Density Residential) on 1.25 acres located adjacent to the south side of Van Buren Avenue, approximately 307 feet east of Lamb Boulevard (APN: 140-29-101-009), PROPOSED USE: 10-UNIT APARTMENT COMPLEX, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
181. SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0080-02 - PUBLIC HEARING - SD-0037-02 - PATRICK AND CECILIA DIFFER - Request for a Site Development Plan Review FOR A PROPOSED 10 UNIT APARTMENT DEVELOPMENT on 1.25 acres located adjacent to the south side of Van Buren Avenue, approximately 307 feet east of Lamb Boulevard (APN: 140-29-101-009), R-2 (Medium-Low Density Residential) Zone, [PROPOSED: R-3 (Medium Density Residential)], Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL
182. GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0031-02 - JOHNSON FAMILY TRUST ON BEHALF OF JOE RISNER - Request to amend a portion of Southeast Sector Plan FROM: SC (Service Commercial) TO: GC (General Commercial) on approximately 0.52 acres located at 2834 East Charleston Boulevard (APN: 139-36-402-013), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
183. REZONING RELATED TO GPA-0031-02 - PUBLIC HEARING - Z-0074-02 - JOHNSON FAMILY TRUST ON BEHALF OF JOE RISNER - Request for a Rezoning FROM: C-1 (Limited Commercial) TO: C-2 (General Commercial) on approximately 0.52 acres located at 2834 East Charleston Boulevard (APN: 139-36-402-013), PROPOSED USE: INDOOR/OUTDOOR STORAGE, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL
184. NOT TO BE HEARD BEFORE 3:00 P.M. - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0023-02 - WILLARD R. AND MARY VIRGINIA JONES 1990 TRUST - Request to amend a portion of the Centennial Hills Sector Plan FROM: DR (Desert Rural Density Residential) TO: R (Rural Density Residential) on 21.25 acres adjacent to the northeast corner of Durango Drive and La Madre Way (APN: 125-33-301-001, 004, 125-33-302-001 and 007), Ward 6 (Mack). The Planning Commission (5-1-1 vote) and staff recommend DENIAL
185. NOT TO BE HEARD BEFORE 3:00 P.M. - REZONING RELATED TO GPA-0023-02 - PUBLIC HEARING - Z-0048-02 - WILLARD R. AND MARY VIRGINIA JONES 1990 TRUST - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development – 3 Units Per Acre) on 21.25 acres adjacent to the northeast corner of Durango Drive and La Madre Way (APN: 125-33-301-001, 004, 125-33-302-001 and 007), PROPOSED USE: SINGLE FAMILY RESIDENTIAL SUBDIVISION, Ward 6 (Mack). The Planning Commission (5-1-1 vote) and staff recommend DENIAL
186. NOT TO BE HEARD BEFORE 3:00 P.M. - VARIANCE RELATED TO GPA-0023-02 AND Z-0048-02 - PUBLIC HEARING - V-0071-02 - WILLARD R. AND MARY VIRGINIA JONES 1990 TRUST - Request for a Variance TO ALLOW 0.52 ACRES OF OPEN SPACE WHERE 0.91 ACRES ARE REQUIRED FOR A 55 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 21.25 acres adjacent to the northeast corner of Durango Drive and La Madre Way (APN: 125-33-301-001, 004, 125-33-302-001 and 007), Ward 6 (Mack). The Planning Commission (5-1-1 vote) and staff recommend DENIAL
187. NOT TO BE HEARD BEFORE 3:00 P.M. - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-0023-02, Z-0048-02 AND V-0071-02 - PUBLIC HEARING - Z-0048-02(1) - WILLARD R. AND MARY VIRGINIA JONES 1990 TRUST - Request for a Site Development Plan Review FOR A 66-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 21.25 acres adjacent to the northeast corner of Durango Drive and La Madre Way (APN: 125-33-301-001, 004, 125-33-302-001 and 007), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development – 3 Units Per Acre)], Ward 6 (Mack). The Planning Commission (5-1-1 vote) and staff recommend DENIAL
188. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

## ADDENDUM

### CITIZENS PARTICIPATION

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes

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THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

Las Vegas Library, 833 Las Vegas Boulevard North  
Senior Citizen Center, 450 E. Bonanza Road  
Clark County Government Center, 500 S. Grand Central Parkway  
Court Clerk's Office Bulletin Board, City Hall Plaza  
City Hall Plaza, Special Outside Posting Bulletin Board

EXHIBIT C

(Attach Affidavit of Publication of Notice of Deposit of the Bond Ordinance)

RECEIVED  
CITY CLERK

2002 OCT 29 A 11: 55

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK  
2466208

2296311LV

was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 10/24/2002 to 10/24/2002, on the following days: OCT. 24, 2002

BILL NO. 2002-111

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER REFUNDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES: 2002B; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND PROVIDING FOR THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE CITY'S SEWER SYSTEM; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, and that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, at her office in City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on October 2, 2002, and will be considered for adoption at the a regular meeting of the City Council of the City of Las Vegas held on November 6, 2002.

/s/ Barbara Jo Ronemus  
City Clerk  
PUB: October 24, 2002  
LV Review-Journal

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 25

day of October 2002

Mary B. Sheffield

Notary Public

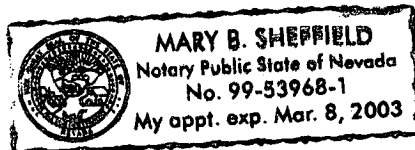


EXHIBIT D

(Attach Affidavit of Publication of Adoption of Bond Ordinance)

RECEIVED  
CITY CLERK

2002 NOV 15 P 12:30

AFFP DISTRICT COURT  
Clark County, Nevada

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

Donna Stark, being 1st duly sworn, deposes and says:

That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK  
2493334

2296311LV

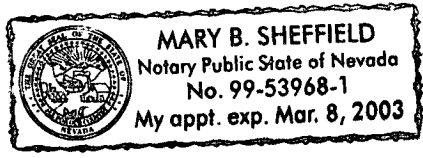
was continuously published in said Las Vegas Review Journal and/or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/09/2002 to 11/09/2002, on the following days: NOV. 9, 2002

Signed: Donna Stark

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of November 2002

Mary B. Sheffield  
Notary Public



BILL NO. 2002-111  
ORDINANCE NO. 5531

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA PROVIDING FOR THE ISSUANCE OF ITS REGISTERED, NEGOTIABLE, GENERAL OBLIGATION (LIMITED TAX) SEWER BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2002B; STATING THE PURPOSES FOR WHICH THE BONDS ARE TO BE ISSUED; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND PROVIDING FOR THEIR SALE; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS; ADDITIONALLY SECURING THEIR PAYMENT BY A PLEDGE OF REVENUES DERIVED FROM THE CITY'S SEWER SYSTEM; AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

PUBLIC NOTICE IS HEREBY GIVEN, that an adequate number of typewritten copies of the above-numbered and entitled ordinance are available for public examination and distribution upon request at the office of the City Clerk of the City of Las Vegas, Nevada, at her office at 400 East Stewart Avenue, Las Vegas, Nevada; and that the above-numbered and entitled Ordinance was passed and adopted at a regular meeting of the City Council of the City of Las Vegas on November 6, 2002, by the following vote of the City Council:

Those Voting Aye:  
Oscar Goodman  
Gary Reese  
Michael J. McDonald  
Larry Brown  
Lawrence Weekly  
Michael Mack  
Those Voting Nay: NONE  
Those Absent: Lynette Boggs-McDonald

This Ordinance shall be in full force and effect from and after the 10th day of November 2002, i.e., the day after the publication of such Ordinance by its title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only. DATED this November 6, 2002.

/s/ Oscar Goodman  
Mayor  
Attest:  
/s/ Barbara Jo Ronemus  
City Clerk  
PUB: Nov. 9, 2002  
LV Review-Journal